



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

05 NOVEMBER 2012

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 5 NOVEMBER 2012**

Meeting Commenced 7.00pm

Public: 37

PRESENT

Her Worship the Mayor
Councillor M Statham
Councillor W McAndrew
Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor J J McGinnes
Councillor P Pilbeam
Councillor M F Ticehurst

APOLOGIES

12-385 RESOLVED

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

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam

Also in attendance

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

CONFIRMATION OF MINUTES

12-386 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 15 October 2012 were taken as read and confirmed by Councillors W McAndrew and P Pilbeam with a correction to Item 15 stating that Councillor Statham and Councillor McAndrew are the delegates to the Mining Related Council with Councillor Thompson as the alternate.

DECLARATION OF INTEREST

12-387 RESOLVED

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

Councillor M Statham declared a Non Pecuniary, less than significant interest in item 22, due to the suggested naming of the road being after her father. She will vacate the Chambers.

Councillor M Statham declared a Non Pecuniary, less than significant interest in item 25, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. She will not vacate the Chambers.

Councillor P Pilbeam declared a Non Pecuniary, less than significant interest in item 25, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. He will not vacate the Chambers.

Councillor F Inzitari declared a Non Pecuniary, less than significant interest in item 25, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. He will not vacate the Chambers.

Councillor R Higlett declared a Non Pecuniary, less than significant interest in item 25, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. He will not vacate the Chambers.

Councillor M Ticehurst declared a Pecuniary interest in item 19, due to his son being an employee of Centennial Coal. He will vacate the Chambers.

Councillor M Ticehurst declared a Pecuniary interest in item 20, due to his son being an employee of Centennial Coal. He will vacate the Chambers.

QUESTIONS FROM THE PUBLIC

At 7.06pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 5/11/12 – MR PETER WOODS

Mr Woods made a statement in relation to item 15 of the agenda the financial situation at Zig Zag Railway, he asked who had attended the meeting.

The Mayor advised that herself and the General Manager had met with Michael Forbes and two other board members.

EXTENSION OF TIME

12-388 RESOLVED

THAT extension of time for public forum be granted.

MOVED: Councillor M Ticehurst

SECONDED: Councillor F Inzitari

Mr Woods asked whether the board of the Zig Zag will hand down the report from the Minister of Transport. He then provided a copy of the Independent Transport Safety Regulator Compliance Inspections report of Zig Zag Railway Oct/Nov 2011.

The Mayor thanked Mr Woods for the information that he provided.

PF – 5/11/12 - KAYE MEREDITH

Mrs Meredith asked since when has Park Avenue become Charlie Pinch Avenue?

The Group Manager of Environment and Development advised that the proposed road name changes were up for discussion in tonight's agenda.

Why wasn't Saville Park or Upper Park Avenue considered?

The Mayor thanked Mrs Meredith for her comment.

PF – 5/11/12 - LINDSAY FOSTER

Mrs Foster made a statement in relation to the road name changes report in the agenda. Mrs Foster said that she had made a submission which was acknowledged by Council however her submission was not addressed in the report.

Mrs Foster queried the process in which residents are notified and how submissions are dealt with.

The Mayor thanked Mrs foster for her comments and advised the Council would take her concerns on board in dealing with the agenda item.

PF – 5/11/12 – MR JOHN SHARPE

Mr Sharpe made a statement in relation to the Portland Golf Club report in the agenda. Council has rejected the subdivision because of the unserviced lots.

Mr Sharpe thanked the Council for their recommendation but see's this as a bandaid solution. The only way that the Portland Golf Club will survive is if they are able to sell of the lots.

The Mayor thanked Mr Sharpe for his comments.

PF- 5/11/12 – SUE GRAVES

Mrs Graves advised the Council that Lithgow had success in the recent Tidy Towns awards in Kyogle. Lithgow Men's Shed received a highly commended in their section 'Bush Spirits'. Ironfest too were successful in their section. The Water Conservation section was won by the Three Tree for water harvesting on gardens.

The Mayor thanked Mrs Graves for the information that she provided and congratulated those that participated and thanked those that travelled to Kyogle to represent the Lithgow area.

Mrs Graves asked Council to consider whether there was any opportunity for Council to swap land for the Gasworks lane with the UWS for parking.

The General Manager took the comment on notice.

Mrs Graves asked if Council would contact Hungry Jacks, McDonalds and Red Rooster to establish a common pool to clean roads in the area.

The Mayor advised that she had requested clean up by Council and requested assistance from the State Member and is expecting further information.

Mrs Graves suggested that Council clearly identify with the RMS who is responsible for garbage along roadsides of the highways.

The Mayor assured Mrs Graves that Council is doing their best to address the issue and advised that she would seek further information on this matter.

PF – 5/11/12 – BILL SHUTE

Mr Shute expressed his appreciation to Council's Rural Overseer and made a statement in relation to the line marking at the intersection of Wolgan and Firth Streets Portland and the lack of a Give Way sign at Sunny Corner Road, Portland.

Mr Shute made a further statement advising that he had sent correspondence informing Councillors of incorrect recording of minutes on the 12 September 2011.

He had asked whether Council would report to Police and or seek financial compensation for money unlawfully spent?

Mr Shute felt that there was a breach in the Code of Conduct and would be happy to meet with any Councillor in relation to this matter in a non public forum.

The Mayor thanked Mr Shute for his comments and advised she would contact him to arrange a meeting to discuss the matter further.

The General Manager advised that he had written to Mr Shute previously and that the minutes had been recorded in accordance with the Local Government Act and Council Policies.

PF – 5/11/12 – SUE GRAVES

Mrs Graves referred to Item 25 of the agenda, stating that there seemed to be no requirement to section 94 funds.

The Group Manager Environment and Development advised that this is a modification of previous consent and therefore Section 94 is not applicable.

Mrs Graves referred to Item 33 of the agenda, stating that it appeared parking in Main Street is difficult and parking inspectors need to be checking parking times. She requested that this be taken into consideration when looking at any suggestions for one way streets and improving parking.

PF – 5/11/12 – CASSIE HARVISON

Mrs Harvison made a statement in relation to Item 3, suggesting that Lithgow Council could be making improvements to provide additional parking/camping space.

She also made reference to Item 8 asking why there are no lights now when they used to have them.

The Mayor advised that the Council had plans in place to improve festivities in Main Street.

PF - 05/11/12 - MRS KAYE MEREDITH

Mrs Meredith indicated why in Item 22 of tonight's agenda it refers to Pinch Ave and not Charlie Pinch Avenue?

The Mayor thanked Mrs Meredith for her comments.

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Before commencing the Business Paper the Mayor made comments about how worthwhile it was to attend the NSW Local Government Conference held in Dubbo last week.

ITEM-38 MAYORAL MINUTE - 05/11/12 - LITHGOW COMMUNITY PRIVATE HOSPITAL

12-389 RESOLVED

THAT:

1. Council provide whatever practical support possible to the Lithgow Community Private Hospital to arrange meetings with Ministers and/or health officials;
2. Council seek Urgent Delegation to the Minister of Health regarding funding of \$185K to assist the medical centre and day care facilities; and
3. Council request NSW Health and the Lithgow Public Hospital that employees of the private sector be given preference for employment in public health system.

MOVED: Councillor M Statham

SECONDED: Councillor R Higlett

ITEM-1 NOTICE OF MOTION - 05/11/12 - 1. CURRENT STATUS OF THE OLD GAS WORKS IN LITHGOW - COUNCILLOR M TICEHURST

12-390 RESOLVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at the next Council Meeting on the current status of the overdue remediation and proposed future sale and use of the former Gas Works / Council owned land in Mort Street, Lithgow.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor F Inzitari

ITEM-2 NOTICE OF MOTION - 05/11/12 - 2. CURRENT STATUS OF THE POTTERY PLAZA DA LITHGOW - COUNCILLOR M TICEHURST

MOVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at a future Council Meeting on

the current status of the DA for the previously proposed new construction of "Pottery Plaza" on the old Pottery Estate, a development consisting of four Cinemas, Food Court, Retail Shops, a Supermarket, a Restaurant and some Bulky Goods retailing (totalling approximately 9,100 square metres of gross floor area) with parking for the development is proposed at grade and below the main buildings with vehicle access off Kirkland Link.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM WITHDRAWN - Councillor Ticehurst with the consent of his seconder and Council withdrew this Item.

ITEM-3 NOTICE OF MOTION - 05/11/12 - PARKING FOR TOURIST CARAVANS AND LARGE RECREATIONAL VEHICLES IN THE LITHGOW LGA TOWNS AND VILLAGES - COUNCILLOR M TICEHURST

12-391 RESOLVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at a future Council Meeting on the current status of what is currently available or proposed for the parking of Tourist Caravans and Large Recreational Vehicles in the Lithgow LGA Towns and Villages?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew

ITEM-4 NOTICE OF MOTION - 05/11/12 - UPDATE ON COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M TICEHURST

12-392 RESOLVED

THAT the General Manager now, after more than 15 months since the launch of the 36-page Lithgow Investment Prospectus, provide a report to a future meeting of Council on what has been the success or otherwise of the prospectus?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM-5 NOTICE OF MOTION - 05/11/12 - 5. CURRENT STATUS OF THE FORMER LITHGOW RSL PROPERTY - COUNCILLOR M TICEHURST

12-393 RESOLVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at a future Council Meeting on the current condition of the property 'Hoskins Court' and the status of the DA for the now vacant former Lithgow RSL property on the corner of Hayley Street and Hoskins Ave Lithgow.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM-6 NOTICE OF MOTION - 05/11/12 - 6. CURRENT STATUS OF THE HUNGRY JACKS DA GWH LITHGOW - COUNCILLOR M TICEHURST

12-394 RESOLVED

THAT Council note the verbal response given from the Group Manager, Environment and Development, that Council Officers had been in contact with the developer and the best advice available was that construction has been delayed until 2013.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM-7 NOTICE OF MOTION - 05/11/12 - 7. CURRENT STATUS OF THE LCC DRAFT FOOTPATH TRADING POLICY - COUNCILLOR M TICEHURST

12-395 RESOLVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at the next Council Meeting on the current status of the previous publicly exhibited and now long outstanding Draft Policy 5.4 Footpath Trading Policy.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM-8 NOTICE OF MOTION - 05/11/12 - 2012 COUNCIL CHRISTMAS DISPLAYS AND ACTIVITIES - COUNCILLOR M TICEHURST

12-396 RESOLVED

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report to the next Council Meeting on the current status of Council resolution 12 – 03; that Council form a Committee to provide a promotional plan for 2012 to include Christmas/New Year lights and other promotions through 2012 which can include Easter, Celebrate Lithgow, Lithgow Flash Gift and any other notable events.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

ITEM-9 NOTICE OF MOTION - 05/11/12 - CLASSIFY BELLS LINE OF ROAD AS A NATIONAL TRANSPORT GRID ROAD - COUNCILLOR C HUNTER

12-397 RESOLVED

THAT Lithgow City Council lobby the Federal Government to classify Bells Line of road to a National Transport grid road.

MOVED: Councillor C Hunter

SECONDED: Councillor W McAndrew

PROCEDURAL MOTION - ORDER OF BUSINESS

12-398 RESOLVED

THAT Item 22 be brought forward and dealt with now before the General Manager's reports.

MOVED: Councillor M Ticehurst

**ITEM-22 ENVIRO - 05/11/12 - ROAD RENAMING - SUBMISSIONS RECEIVED
FOR PROPOSED CHANGES OUTCOMES**

12-399 RESOLVED

THAT the recommendations 1, 2, 3, 5, and 6 be dealt with separate to Recommendation 4.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari

12-400 RESOLVED

THAT:

1. In accordance with Council's Policy for the naming of roads, Council advertise the road names 'Charlie Pinch Avenue' and 'Vincent McManus Road' in the Lithgow Mercury, notify affected residents and authorities calling for submissions to be made.
2. If the road names suggested and listed above receive no submissions, Council is to proceed with Government Gazette and advise Emergency Services and land owners of these road names.
3. If submissions for any of the suggested road names are received, a report advising Council of the preferred action is to be submitted for the decision of these road names.
5. That the road name 'Park View Avenue' be retained, and all submissions, residents and authorities are to be notified of this decision.
6. That directional and road signage at Meadow Flat be reviewed and amended where necessary to provide a clear understanding of road names and directions to cemeteries.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari

Mayor Statham declared interest in the matter as the proposed road naming was after her father and vacated the chambers.

CHAIRPERSON

The General Manager advised that, with the declaration by the Mayor and the absence of the Deputy Mayor, a chairperson was required for this section of the meeting.

Councillor Ticehurst nominated Councillor McAndrew to chair this section of the meeting. There were no further nominations and Councillor McAndrew was appointed as the chairperson.

Councillor McAndrew assumed the Chair at 8.48pm.

12-401 RESOLVED

THAT:

1. The road names Pipers Flat Road, Tom Lesslie Place and Brown Close be submitted for Government Gazette and Council advise Emergency Services, land owners and submissions of the road names.
2. In accordance with Council's policy Council advertise the names Mac Scott road and Meads street in the Lithgow Mercury, notify affected residents and authorities calling for submissions to be made
3. Directional Signage be placed indicating "Meadow Flat Cemetery".

MOVED: Councillor M F Ticehurst

SECONDED: Councillor P Pilbeam

Councillor Statham resumed the chair at 8.56pm

ITEM-10 GM - 05/11/12 - LOCAL INFRASTRUCTURE RENEWAL SCHEME

12- 402 RESOLVED

THAT Council make application under the Local Infrastructure Renewal Scheme for:

1. Clarence Colliery Water Transfer Scheme (Priority 1).
2. Stage 2 of the Lithgow Aquatic Centre project for the sum of \$2.6M (Priority 2).

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam

Councillor Ticehurst requested his name be recorded AGAINST the motion.

ITEM-11 GM - 05/11/12 - DELEGATIONS TO THE GENERAL MANAGER

12-403 RESOLVED

THAT Council delegate to the General Manager, Roger William Bailey, the authority to exercise all discretionary functions that Council is capable of delegating and is not prohibited from so doing under section 377 of the Local Government Act, 1993, and also excluding any specific functions which Council has, by resolution, reserved to Council.

MOVED: Councillor C Hunter

SECONDED: Councillor P Pilbeam

ITEM-12 GM - 05/11/12 - DELEGATIONS TO MAYOR AND DEPUTY MAYOR

12-404 RESOLVED

THAT Council, in addition to the functions outlined in Section 226 of the New South Wales Local Government Act 1993, delegate the following:

1. To the Mayor of Lithgow City Council:

a. Donations

To approve donations up to the sum of \$250 subject to Council being informed of any such decision, provided that funds are available within the sum voted by Council for donations in the adopted Delivery Program and Operational Plan. Such donations may only be made to community based, not for profit, groups functioning in the Lithgow Local Government Area.

b. Mayoral Reception

To authorise expenditure for minor civic receptions for visitors up to a maximum of \$500 for any one reception provided that funds are available within the sum voted by Council in the adopted Delivery Program and Operational Plan.

c. Temporary General Manager

In accordance with Section 351(1)(a) of the Local Government Act, the Mayor be given the authority to appoint a temporary General Manager, either during the absence of the General Manager on leave or otherwise.

d. General Manager – Leave

Authority to approve applications for holidays and leave of absence to the General Manager.

- e. **General Manager's Performance Review**
In conjunction with the Deputy Mayor the authority to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.
2. To the Deputy Mayor of Lithgow City Council:
 - a. **Function of the Mayor**
The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

That the Deputy Mayor shall exercise the Delegation of Authority of the Mayor in those cases where the General Manager certifies that the matter is of such an urgent nature that it will not wait until the return of the Mayor.
 - b. **General Manager's Performance Review**
In conjunction with the Mayor the authority to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.
 3. These delegations shall remain in force unless otherwise revoked or amended in whole or in part, as Council may from time to time determine.
 4. The Mayor and Deputy Mayor report to the Council every 6 months on financial delegations

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew

ITEM-13 GM - 05/11/12 - LITHGOW SENIOR CITIZENS GROUP

12-405 RESOLVED

THAT Council refer the matter to Closed Council as per Section 10A(2)(c) and (d)(ii) of the Local Government Act 1993, which states:

“10A Which parts of a meeting can be closed to the public?

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:

- (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:
 - (ii) confer a commercial advantage on a competitor of the council.

MOVED: Councillor M Ticehurst

SECONDED: Councillor P Pilbeam

The public gallery were invited to address Council stating any objection to the matter going to closed council.

Mrs Sue Graves objected to the matter going to closed council to discuss a tender price.

12-406 RESOLVED

THAT Council move to Closed Council as per Section 10A (2) (c) and (d)(ii) of the Local Government Act 1993.

Council moved to closed Council at 9.34pm. The public gallery vacated the chambers.

MOTION

THAT:

1. Council submit a Public Tender for the Lithgow Masonic Lodge Building at 206-208 Mort Street Lithgow;
2. Council authorise the Mayor and General Manager to set the terms of the Public Tender; and
3. The items outlined in 2 above would not be disclosed until any negotiations have been finalised for the building.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor F Inzitari

On being PUT the MOTION was LOST

12-407 RESOLVED

THAT if the Masonic Hall property is not sold then after the tender closing date of the 16 November 2012, Council authorise the Mayor and General Manager to write to the Masonic Lodge members indicating Council has an interest in leasing the premises.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam

12-408 RESOLVED

THAT Council return to Open Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam

Council returned to open Council 10:18pm

The General Manager announced the resolution of closed Council to members of the Public Gallery.

ITEM-14 GM - 05/11/12 - COUNCIL COMMITTEES - TERMS OF REFERENCE

12-409 RESOLVED

THAT Council adopt the Terms of Reference for each of the following Council Committees:

- Environmental Advisory
- Operations (Works)
- Traffic Advisory Local (TALC)
- Sports Advisory
- Indoor Aquatic Centre
- Internal Audit
- Lithgow Tourism Advisory
- Lithgow Flash Gift
- Economic Development Advisory
- Community Development
- Youth Advisory
- Lithgow Crime Prevention
- Disability Access
- Blue Mountains Crossing
- Crystal Theatre
- Union Theatre
- Meadow Flat Hall

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett

ITEM-15 GM - 05/11/12 - ZIG ZAG RAILWAY

12-410 RESOLVED

THAT:

1. Council note the report in relation to the Zig Zag Railway.
2. Council work with the board of Zig Zag on any applicable State or Federal grants.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Hunter

ITEM-16 GM - 05/11/12 - PORTLAND GOLF CLUB

MOTION

THAT Council:

1. Assist the Portland Golf Club in exploring opportunities for the ongoing management and operations of the Club;
2. Re-confirm that in-kind funds of \$9,000 are available to assist it with maintenance.
3. Council make representations on behalf of the Portland Golf Club Limited to the State member, Paul Toole, for financial assistance.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

AMENDMENT

THAT Council:

1. Assist the Portland Golf Club in exploring opportunities for the ongoing management and operations of the Club;
2. Advertise a proposal to provide an interest free loan of up to \$150,000 to allow the Portland Golf Club to continue operating; and
3. Re-confirm that in-kind funds of \$9,000 are available to assist it with maintenance.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Higlett

The AMENDMENT was PUT and became the MOTION

12-411 RESOLVED

THAT Council:

1. Assist the Portland Golf Club in exploring opportunities for the ongoing management and operations of the Club;
2. Advertise a proposal to provide an interest free loan of up to \$150,000 to allow the Portland Golf Club to continue operating; and
3. Re-confirm that in-kind funds of \$9,000 are available to assist it with maintenance.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Higlett

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

Division -

FOR

Councillor R Higlett
Councillor F Inzitari
Councillor W McAndrew
Councillor P Pilbeam
Councillor M Statham

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes
Councillor C Hunter

**ITEM-17 ENVIRO - 05/11/12 - ESKBANK RAIL HERITAGE CENTRE - THE
WOLGAN VALLEY WILDERNESS RAILWAY**

12-412 RESOLVED

THAT Council:

1. Appointed Councillor Inzitari to the Eskbank Rail Heritage Centre Committee with Councillor Hunter as an alternate; and
2. Appoint Councillor Hunter Councillor to the Wolgan Valley Wilderness Railway Committee with Councillor Inzitari as an alternate.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew

ITEM-18 ENVIRO - 05/11/2012 - LISTING ON THE STATE HERITAGE REGISTER - PORTLAND CEMENT WORKS PRECINCT, WILLIWA STREET, PORTLAND - RAFFANS MILL AND BRICK BOTTLE KILNS PRECINCT, CARLON ROAD, PORTLAND

12-413 RESOLVED

THAT the report regarding the State Heritage listing of the Portland Cement Works Precinct, Raffans Mill and Bottle Kilns on the Portland Cement Works site be noted.

MOVED: Councillor C Hunter **SECONDED:** Councillor P Pilbeam

ITEM-19 ENVIRO - 05/11/12 - CENTENNIAL COAL - SPRINGVALE COLLIERY BORE 8 DEWATERING FACILITY

Councillor McGinnes vacated the chambers at 10.53pm.

Councillor Ticehurst vacated the chambers at 10.55pm.

Councillor McGinnes returned to the chambers at 10.56pm.

12-414 RESOLVED

THAT:

1. The report on the Centennial Coal Springvale Colliery Bore 8 Dewatering Facility be noted.
2. Council authorise the Mayor and General Manager to negotiate a VPA with Centennial Coal.

MOVED: Councillor F Inzitari **SECONDED:** Councillor W McAndrew

ITEM-20 ENVIRO - 05/11/12 - CENTENNIAL COAL - ANGUS PLACE COLLIERY VENTILATION SHAFT

12-415 RESOLVED

THAT:

1. The report on the Centennial Coal Angus Place Ventilation Facility Project be noted.
2. Council authorise the Mayor and General Manager to negotiate a VPA with Centennial Coal.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam

Councillor Ticehurst returned to the chambers at 10.58pm.

ITEM-21 ENVIRO - 05/11/12 - FINALISATION OF VOLUNTARY PLANNING AGREEMENT - COALPAC CONSOLIDATION PROJECT

12-416 RESOLVED

THAT the Voluntary Planning Agreement between Lithgow City Council and Coalpac Pty Ltd. In relation to the Coalpac Consolidation Project be formally endorsed.

MOVED: Councillor C Hunter

SECONDED: Councillor P Pilbeam

ITEM-22 ENVIRO - 05/11/12 - ROAD RENAMING - SUBMISSIONS RECEIVED FOR PROPOSED CHANGES OUTCOMES

Item 22 was dealt with earlier in the meeting.

ITEM-23 ENVIRO - 05/11/12 - MODIFICATION OF DEVELOPMENT APPLICATION CONSTRUCTION CERTIFICATE 046/11 - REDEVELOPMENT OF LITHGOW AQUATIC CENTRE - GEORGE COATES AVE LITHGOW

12-417 RESOLVED

THAT Council arrange an urgent on site meeting to review the Traffic conditions at the Aquatic Centre

MOVED: Councillor J J McGinnes

SECONDED: Councillor M F Ticehurst

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

Division -

FOR

Councillor P Pilbeam
Councillor F Inzitari
Councillor M F Ticehurst
Councillor J J McGinnes
Councillor R Higlett
Councillor Statham

AGAINST

Councillor C Hunter
Councillor W McAndrew

ITEM-24 ENVIRO - 05/11/12 - COBBORA COAL PROJECT

12-418 RESOLVED

THAT the report on the Cobbora Coal Project be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Hunter

**ITEM-25 ENVIRO - 05/11/12 - HARTLEY RYOLITE QUARRY - MODIFICATION
OF DEVELOPMENT CONSENT APPLICATION**

MOTION

THAT:

1. Council delegate authority to the General Manager due to determine the application;
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari

AMENDMENT

THAT:

1. The item be deferred to a future meeting of Council
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor M Ticehurst

SECONDED: Councillor J McGinnes

The AMENDMENT was PUT and became the MOTION

12-419 RESOLVED

THAT:

1. The item be deferred to a future meeting of Council
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor M Ticehurst

SECONDED: Councillor J McGinnes

A **DIVISION** was called:

Division (Unanimous)

**ITEM-26 OPER - 05/11/12 - HW5 GREAT WESTERN HIGHWAY
RECONSTRUCTION 30.55 TO 33.43KM - PROPOSED ACQUISITION
FROM THE CROWN**

12-420 RESOLVED

THAT Council concur with the proposed acquisition of R52017 being part of the Hassans Walls Reserve for the construction of the Great Western Highway between 30.55 to 33.43km, west of Katoomba.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari

**ITEM-27 OPER - 05/11/12 - SOUTH BOWENFELS/SOUTH LITTLETON
SEWERAGE INFRASTRUCTURE UPGRADE - EXPRESSIONS OF
INTEREST**

12-421 RESOLVED

THAT Council invite the following contractors to tender for Ten 08/12 – the South Bowenfels /South Littleton Sewerage Infrastructure Upgrade;

- Ted Wilson & Sons
- Trazibat Pty Limited
- Haslin Constructions Pty Ltd
- Eodo Pty Ltd
- Central Trenching Services

MOVED: Councillor W McAndrew

SECONDED: Councillor R Higlett

ITEM-28 OPER - 05/11/12 - LAKE LYELL CARETAKER CONTRACT

12-422 RESOLVED

THAT:

1. Council Note the advice received regarding the current contractor /caretaker's intention not to exercise the further five year option.
2. Council Accept the variation to the current finish date from Sunday 31 March 2013 to 28 February 2013.
3. The Operations Works Committee review the level of assistance to be provided for the Contract Management of the Lake Lyell Recreation Area
4. Council seek expressions of interest for the ongoing management of the Lake Lyell Recreation Area.
5. Council acknowledge the services of the current caretakers.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Hunter

12-423 RESOLVED

THAT Council note the water report.

MOVED: Councillor C Hunter **SECONDED:** Councillor F Inzitari

12- 424 RESOLVED

THAT:

1. Council advises TXA and Blue Mountains City Council that it does not support the digital upgrade of the Megalong tower.
2. Council makes representations to the Federal Member, The Hon John Cobb, to request that the VAST system be upgraded to broadcast local content at no cost to Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor J J McGinnes

12-425 RESOLVED

THAT Council:

1. Allocates an additional \$3,570 to the Lithgow Show Society for the holding of the 2013 Lithgow Show;
2. Allocates an additional \$20,000 for 2012/13 Non-Recurrent Financial Assistance; and
3. Advertises for Round 2 Financial Assistance applications.

MOVED: Councillor W McAndrew

SECONDED: Councillor J J McGinnes

ITEM-32 FINAN - 05/11/12 - MINOR CORRECTION TO THE 2012/13 DELIVERY PROGRAM AND OPERATIONAL PLAN FOR LIDSDALE AND GENERAL RESIDENTIAL CATEGORIES AND UNOCCUPIED WASTE DISPOSAL

12-426 RESOLVED

THAT Council accept the correction of the 2012/13 Delivery Program and Operation Plan as follows:

Residential	Base Amount (\$)	Ad Valorem Amount (c in the \$)
Lidsdale	\$257.00	0.0047356
General	\$180.00	0.0030593
Waste	Charge (\$)	GST
Unoccupied Urban	\$134.50	\$13.45

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

ITEM-33 OPER - 05/11/12 - TALC MINUTES 18 OCTOBER 2012

12-427 RESOLVED

THAT:

1. Council notes the minutes of the Traffic Authority Committee held on 18 October 2012.
2. Council request Endeavour Energy to relocate the power pole located on the corner of George Coates Avenue and Barton Avenue as a matter of priority due to safety issues.
3. Council note the RMS recommendation that the speed limit on Sunny Corner Road between 315m south of the intersection with Reservoir Road and a point 400m south is changed from 100km/h to 80km/h.
4. Council approve the installation of a Stop sign at the intersection of Old Western Road and Railway Street at Rydal.
5. Council note that the RMS has conducted a speed zone review of Brown's Gap Road and has recommended that the entire length of Brown's Gap Road is reduced to 80km/h.
6. Council conduct further investigations into the proposal to change the Main Street laneway from the rear of the Grand Central Hotel through to the rear of the Courthouse Hotel into a one-way lane running in an easterly direction by developing a plan and submitting it to the next TALC meeting.
7. Council conduct further investigations into the existing parking zones in Main Street Lithgow and alternative plans for a one way street proposal for Main Street Lithgow and present these to the next TALC meeting.

8. Council write to the RMS requesting that Armco railing is installed along the footpath located from the intersection of Rabaul Street and the Great Western Highway through to the intersection of First Street and the Great Western Highway.
9. Council write to the RMS requesting information in regard to the request from State Forests NSW to increase the 19m B-double haulage tonnage from 50 to 55 tonnes on Meadow Flat/ Sunny Corner Road, Dark Corner Road, Cupits Lane and Rydal Hampton Road.
10. Council approve the Celebrate Lithgow road closures for the 2012 event.
11. Council advise the organisers of the Oyster Bay Motorcycle grass track event that it has no objections to the event as long as it complies with any imposed event conditions.
12. Council install laybacks and make adjustments to the existing laybacks on the footpaths in Mills Street, Hay Street and Victoria Avenue Lithgow.
13. Council approve the relocation of an existing disabled parking zone in the car park in the laneway at the rear of Lithgow Mobility Aids to a position closer to the rear entry of this business.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari

**ITEM-34 OPER - 05/11/12 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 15 OCTOBER 2012**

12-428 RESOLVED

THAT:

1. Council note the minutes of the Sports Advisory Committee meeting held on Monday, 15 October 2012.
2. That Council approve the refund of \$790.00 in fees to the Mingaan Aboriginal Corporation for the hire of Tony Luchetti Sportsground.
3. That Council approve the waiving of fees for the hire of Watsford Oval for a one day social cricket match conducted by Western Wildfires Cricket Club.

MOVED: Councillor W McAndrew

SECONDED: Councillor J J McGinnes

ITEM-35 COMM - 05/11/12 - DISABILITY ACCESS COMMITTEE MEETING

12-429 RESOLVED

THAT Council notes the minutes of the Disability Access Committee meeting held 30 August 2012.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam

**ITEM-36 COMM - 05/11/12 - CRIME PREVENTION COMMITTEE MEETING - 8
OCTOBER 2012**

12-430 RESOLVED

THAT Council notes the minutes of the Crime Prevention Committee meeting of 8 October 2012.

MOVED: Councillor R Higlett

SECONDED: Councillor P Pilbeam

**ITEM-37 COMM - 05/11/12 - YOUTH COUNCIL MINUTES - 25 SEPTEMBER
2012**

12-431 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 25 September 2012.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett

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 closed at 11:52pm.