



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

26 NOVEMBER 2012

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 26 NOVEMBER 2012**

Meeting Commenced 7.02pm

Public: 38

PRESENT

Her Worship the Mayor
Councillor M Statham
Councillor R Thompson
Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor J J McGinnes
Councillor M F Ticehurst

APOLOGIES

12-432 RESOLVED

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

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

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett

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 Chris Schumacher, Acting Group Manager Operations
Mrs Carol Farnsworth, Finance Manager

CONFIRMATION OF MINUTES

MOTION

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 5 November 2012 be taken as read and confirmed by Councillors F Inzitari and R Higlett.

AMENDMENT

THAT the minutes, with the exception of Bill Shute's statement, be confirmed and that Mr Shute's comments be deferred until a meeting is held with him next month.

MOVED: Councillor M Ticehurst

SECONDED: Councillor J McGinnes

The amendment was PUT and **LOST**

12-433 RESOLVED

THAT the minutes of the ordinary meeting of Council held on the 5 November 2012 be taken as read and confirmed.

MOVED: Councillor F Inzitari **SECONDED:** Councillor R Higlett

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

Division -

FOR

Councillor M Statham
Councillor F Inzitari
Councillor R Thompson
Councillor R Higlett
Councillor C Hunter

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

DECLARATION OF INTEREST

12-434 RESOLVED

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

Councillor R Thompson declared a Pecuniary Interest in item 14, due to him being an employee of the Workmen's Club. He will vacate the Chambers.

Councillor M Statham declared a Non Pecuniary less than significant interest in item 16, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. She will not vacate the Chambers and will vote on the matter.

Councillor F Inzitari declared a Non Pecuniary less than significant interest in item 16, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. He will not vacate the Chambers and will vote on the matter

Councillor R Higlett declared a Non Pecuniary less than significant interest in item 16, due to Mr Dick Austen's involvement with the Lithgow Forum Group at the recent election. He will not vacate the Chambers and will vote on the matter.

Councillor M F Ticehurst declared a Pecuniary Interest in item 15, due to his son being an employee of Centennial Coal. He will vacate the Chambers.

QUESTIONS FROM THE PUBLIC

At 7.09pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 26/11/12 – MR ANTHONY CRAIG

Following the explosion at Howard & Sons in December 2007, the last Council said they would establish a Community Safety Committee. Will the Council set up this committee? Will Council inspect the site and if another explosion occurs and Council fails with the duty of care, will Ratepayers have to fit the bill?

Group Manager Environment and Development took the questions on notice.

Mr Craig requested he be contacted with the outcome of his request.

PF – 26/11/12 – MR IAN BOXOM

Made a statement in relation to item 16 of the agenda. His company supplies 16% of Sydney Concrete and now lacks supplies of aggregate and road base material. 40 People are employed by him. Will Council take this on board when making any decisions on this matter?

The Mayor thanked Mr Boxom for his comments.

PF – 26/11/12 – MRS VELMA MCFADDEN

There was a resolution on 4th August 2012 to grade Wattlemount Road. When will this occur?

Acting Group Manager Operations advised that this road is yet to be finalised as a public road and until this is resolved the road remains Crown and therefore not Council's responsibility.

Mrs McFadden asked if anything could be done in the meantime

Acting Group Manager Operations took this matter on notice and will look into possible options for improvement

PF – 26/11/12 – MRS DONNA UPTON

Mrs Upton referred to the Voluntary Planning Agreement with Centennial Coal and requested that in negotiations consideration be given to the Water and Environmental issues in the Capertee Valley.

The Mayor thanked Mrs Upton for her comments.

PF – 26/11/12 – MR ROD WELSH

Mr Welsh is the production manager at the Hartley Quarry and he provided Council with the benefits that the Quarry give to the community including training and advised that the Quarry act within the law. He supports the continuation of the Quarry operation.

The Mayor thanked Mr Welsh for his comments

PF – 26/11/12 – MR STEVE GRACEY

Mr Gracey operates as an earth moving contractor in the area and made a statement in support of the Hartley Quarry (Item 16) stating it is in his family's best interest that the Quarry continues to operate.

The Mayor thanked Mr Gracey for his comments.

PF – 26/11/12 – MRS DIANNE PARTRIDGE

Mrs Partridge advised Council that her family operates a business using the Hartley Quarry and stated importance to her family business that the Quarry continues to operate.

The Mayor thanked Mrs Partridge for her comments.

PF - 26/11/12 - MR NEIL GORREL

Mr Gorrel thanked the Mayor and Council for extension of tar in the Glen Alice area. He brought to the attention that Marsden Hill which was tarred approximately 5 months ago is breaking up because there was a drainage defect on the road.

Acting Group Manager Operations advised Mr Gorrel that Council would inspect the road and undertake any necessary repairs.

PF - 26/11/12 - MRS MARGO MCGINNES

Mrs McGinnes made it clear that she was speaking on behalf of the Senior Citizens in the Lithgow area and not her husband.

Mrs McGinnes made reference to the Senior Citizens and sections of the ageing strategy and the current issue of the Senior Citizens being relocated from the Hoskins Building.

The Mayor thanked Mrs McGinnes for her comments.

PF – 26/11/12 – MR BILL SHUTE

Mr Shute spoke about the recent changes to street renaming, in particular Falnash Street Portland where it becomes Ridge Street and the issue of street numbering causing confusion for both residents and delivery drivers. Mr Shute asked that Council consider changing the name of this street to rectify the problem.

Mr Shute may reference to Council's process that no number is allotted to a property until it is occupied and suggested that the number one condition on building approvals should be that the street number is clearly displayed at the gate to rectify any problems with delivery or emergency services.

Mr Shute also made a statement in relation to the 'Give Way' lines being worn out not the Give Way signs at the intersection of Wolgan and Firth Street, Portland which he previously raised on the 5th November Council meeting. He also raised the lack of a Give Way line at the intersection of Green Street and Sunny Corner Road Portland was also not correctly recorded.

Mr Shute told Council that he had been trying to get a curve marker, known as a chevron, replaced at the foot of Garlands Hill. Can the Mayor arrange for the replacement?

Acting Group Manager Operations advised that he would be happy to meet with Mr Shute, if Mr Shute sees him at the conclusion of the meeting he will arrange a time to meet to discuss both issues raised.

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ADVISORY COMMITTEE MINUTES - 1 NOVEMBER 2012

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The Mayor presented a Late Mayoral Minute.

**ITEM-31 MAYORAL MINUTE - 22/11/12 - CENTROC MEETING IN GRENFELL
ON 22 NOVEMBER 2012**

12-435 RESOLVED

THAT the information from the Centroc meeting and AGM in Grenfell on 22 November 2012 be noted.

MOVED: Councillor M Statham

SECONDED: Councillor R Thompson.

PROCEDURAL MOTIONS - ORDER OF BUSINESS

12-436 RESOLVED

THAT Item 14, 15 and 16 be dealt with at the beginning of the meeting, prior to the Notices of Motion.

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

MOTION

THAT the Notices of Motion to be moved to the end of the meeting following item 30.

On being PUT the MOTION was LOST.

**ITEM-14 ENVIRO - 26/11/12 - REQUEST FOR EXEMPTION OF SECTION 94A
LEVY - LITHGOW WORKMENS CLUB**

Councillor R Thompson left the chambers at 7.36pm

12-437 RESOLVED

THAT Council defer the item to the following Council meeting to allow the Workmen's Club to provide Council and Councillors with correspondence of a time frame for the project.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

Councillor Thompson returned to the chambers at 7.40pm

**ITEM-15 ENVIRO - 26/11/12 - CENTENNIAL COAL - VARIOUS PROJECTS -
 SPRINGVALE, ANGUS PLACE, AIRLY COAL, NEUBECKS**

Councillor Ticehurst left the chambers at 7.40pm

12-438 RESOLVED

THAT:

1. The report on the Centennial Coal projects be noted.
2. The Mayor, Deputy Mayor and General Manager be authorised to negotiate a Voluntary Planning Agreement or Agreements in relation to the projects.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

Councillor Ticehurst returned to the chambers at 7.43pm

**ITEM-16 ENVIRO - 26/11/12 - HARTLEY RYOLITE QUARRY - MODIFICATION
 OF DEVELOPMENT CONSENT APPLICATION**

12-439 RESOLVED

THAT:

1. The Section 96 Modification of Consent application S96 023/12 associated with DA 103/94 be approved in accordance with the conditions outlined in the attached Section 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor R Thompson

SECONDED: Councillor J J McGinnes

Division (Unanimous)

FOR

Councillor M Statham
Councillor R Thompson
Councillor M F Ticehurst

Councillor J J McGinnes
Councillor F Inzitari
Councillor C Hunter
Councillor R Higlett

ITEM-1 NOTICE OF MOTION - 26/11/12 - COUNCIL OFFER OF THE USE OF THE TONY LUCHETTI OVAL FOR MAJOR COMMUNITY FUNCTIONS - COUNCILLOR M F TICEHURST

12-440 RESOLVED

THAT the General Manager and or Internal Services (Finance) Officer provide a report to the Council, Councillors, ratepayers and residents on what arrangements could be made to allocate up to 4 packages, each to the value of up to \$2,500 in kind Council financial support, to non-profit community groups, either individually or with other groups, to allow them each to utilise and hold a major community function at or in the Tony Luchetti Showground, including the hire and use of the Civic Ballroom?

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor F Inzitari

ITEM-2 NOTICE OF MOTION - 26/11/12 - LOCATION FOR COMMUNITY BANNERS IN LITHGOW, TOWNS AND VILLAGES - COUNCILLOR M F TICEHURST

12-441 RESOLVED

THAT the General Manager and/or Senior Council Officers provide a report to the Council, Councillors, ratepayers and residents on suitable locations on Council Land for the erection and display of Community Event Banners in both Lithgow and Towns and Villages. Council ask Shop owners in Main Street if they are prepared to allow Council to hang banners from their premises.

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor J J McGinnes

ITEM-3 NOTICE OF MOTION - 26/11/12 - NEW SWIMMING POOL LAWS - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager and/or the relevant Senior Council Officer provide a report to the Council, Councillors, ratepayers and residents on the recent commencement of the Swimming Pools Amendment Act 2012.

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor J J McGinnes

On being PUT the MOTION was LOST.

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

Division -

FOR

Councillor F Inzitari
Councillor M F Ticehurst
Councillor J J McGinnes

AGAINST

Councillor R Higlett
Councillor R Thompson
Councillor C Hunter
Councillor M Statham

ITEM-4 NOTICE OF MOTION - 26/11/12 - POSSIBLE RELOCATION OF THE SMALL ARMS MUSEUM TO THE BOWENFELS RAILWAY STATIONS SITE - COUNCILLOR M F TICEHURST

The General Manager read a letter received on 26 November 2012 from the Lithgow Small Arms Museum Inc.

12-442 RESOLVED

THAT the Notice of Motion be withdrawn.

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor J J McGinnes

ITEM-5 GM - 26/11/12 - ICAC REPORT OPERATION JAREK - INVESTIGATION OF ACCEPTING BENEFITS FROM SUPPLIERS

12-443 RESOLVED

THAT:

1. Council note the Investigation Report released by ICAC in October 2012 in relation to Operation Jarek;
2. The General Manager provide the next meeting of Council with a report on what steps it has taken to make sure the over ordering of goods will be monitored and corrected once detected; and
3. A copy of the response prepared for ICAC be provided to Council.

MOVED: Councillor J J McGinnes

SECONDED: Councillor M F Ticehurst

ITEM-6 GM - 26/11/12 - NSW STATE EMERGENCY SERVICES (SES) PARTNERSHIP AGREEMENT

12-444 RESOLVED

THAT Council authorise the signing of the NSW State Emergency Service (SES) Partnership Agreement.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

ITEM-7 GM - 26/11/12 - QUARTERLY PERFORMANCE REPORT ON 2012/2013 OPERATIONS PLAN FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2012

12-445 RESOLVED

THAT:

1. The surplus of \$11,000 for the 2012-2013 Operations Plan as detailed in the Quarterly Performance Report for the period 1 June to 30 September 2012 be noted;
2. Council authorise the variations to the Council budget as outlined in the report; and
3. The Council notes that the Finance Manager, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local

Government (General) Regulation 2005, (s203) that Council's 2012-2013 Operations Plan has been reviewed and the financial position of Council is satisfactory.

MOVED: Councillor J J McGinnes **SECONDED:** Councillor R Thompson.

ITEM-8 GM - 26/11/12 - REGIONAL DEVELOPMENT AUSTRALIA FUND

MOTION

THAT Council:

1. Submit an Expression of Interest for Round Three of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 4, the refurbishment of the 50 metre pool seeking grant funding of \$500,000;
2. Submit an Expression of Interest for Round Four of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 2, the construction of the 25 metre multi-purpose pool seeking grant funding of \$1.3M.

MOVED: Councillor J J McGinnes **SECONDED:** Councillor M F Ticehurst

AMENDMENT

THAT Council:

1. Submit an Expression of Interest for Round Three of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 4, the refurbishment of the 50 metre pool seeking grant funding of \$500,000;
2. Submit an Expression of Interest for Round Four of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 2, the construction of the 25 metre multi-purpose pool seeking grant funding of \$1.3M;
3. Provide support to Expressions of Interest by Zig Zag Railway for funding from the Regional Development Australia Fund, and any other funding opportunities; and
4. Provide support to the Lithgow Community Private Hospital for any funding opportunities.

MOVED: Councillor R Thompson **SECONDED:** Councillor C Hunter

The Amendment was PUT and became the MOTION

12-446 RESOLVED

THAT Council:

1. Submit an Expression of Interest for Round Three of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 4, the refurbishment of the 50 metre pool seeking grant funding of \$500,000;
2. Submit an Expression of Interest for Round Four of the Regional Development Australia Fund (RDAF) for the Lithgow Aquatic Centre Stage 2, the construction of the 25 metre multi-purpose pool seeking grant funding of \$1.3M;
3. Provide support to Expressions of Interest by Zig Zag Railway for funding from the Regional Development Australia Fund, and any other funding opportunities; and
4. Provide support to the Lithgow Community Private Hospital for any funding opportunities.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

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

Division -

FOR

Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor M Statham
Councillor R Thompson

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

ITEM-9 GM - 26/11/12 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

12-447 RESOLVED

THAT Council:

1. Adopt Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors,' Version 5; and
2. Advise the Division of Local Government that the Policy has been publically advertised and adopted.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

ITEM-10 GM - 26/11/12 - BELLS LINE OF ROAD - LONG TERM STRATEGIC CORRIDOR PLAN

MOTION

THAT Council, through the local State Member for Parliament, Mr Paul Toole:

1. Expresses its disappointment in the outcome of the Bells Line of Road Long Term Strategic Corridor Plan; and
2. Calls for the urgent identification and reservation of a proposed Bells Line of Road route from the M7 to Kurrajong Heights.
3. Council support the Highway Hartley action group for the call for the Mount Victoria to Lithgow highway redevelopment to return to the Darling Causeway Newnes Plateau proposal.

MOVED: Councillor J J McGinnes

SECONDED: Councillor C Hunter

AMENDMENT

THAT Council, through the State Member for Parliament Paul Toole:

1. Congratulate the NSW Parliament for its ongoing efforts to persuade the Federal Department of Transport to continue joint studies aimed at urgently identifying and securing a suitable corridor to permit the upgrading of the Bells Line of road
2. Urge the government to continue those efforts especially in the area of Kurrajong Heights to the M7 Motorway.

MOVED: Councillor R Higlett

SECONDED: Councillor F Inzitari

The Amendment was PUT and LOST

FURTHER AMENDMENT

THAT Council, through the local State Member for Parliament, Mr Paul Toole:

1. Expresses its disappointment in the outcome of the Bells Line of Road Long Term Strategic Corridor Plan; and
2. Calls for the urgent identification and reservation of a proposed Bells Line of Road route from the M7 to Kurrajong Heights.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

The Amendment was PUT and became the MOTION

12-448 RESOLVED

THAT Council, through the local State Member for Parliament, Mr Paul Toole:

1. Expresses its disappointment in the outcome of the Bells Line of Road Long Term Strategic Corridor Plan; and
2. Calls for the urgent identification and reservation of a proposed Bells Line of Road route from the M7 to Kurrajong Heights.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

ITEM-11 ENVIRO - 26/11/12 - REPRESENTATION ON WESTERN JOINT REGIONAL PLANNING PANEL

12-449 RESOLVED

THAT Council nominate Councillor M Statham with Councillor C Hunter as the Alternate to the Western Joint Regional Planning Panel. These being in addition to Mr A Muir's, Group Manager Environment and Development, earlier appointment.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

ITEM-12 ENVIRO - 26/11/12 - LITHGOW GASWORKS SITE

12-450 RESOLVED

THAT the information contained in the report on the former Lithgow Gasworks Site be noted.

MOVED: Councillor C Hunter

SECONDED: Councillor R Thompson.

MOTION**THAT**

1. Draft Policy 5.4 – Footpath Trading as attached to the business paper and previously publically exhibited be formally adopted, with the changes of paragraph 1 (vii) of at 'least \$10 million' and 'to a minimum of \$10 million'.
2. A fee of \$25 be charged for an application for footpath trading and/or renewal during the 2012/13 financial year, however this be reviewed as part of the draft 2013/14 Fees & Charges.
3. The adopted Policy be provided to local businesses in Lithgow, Portland and Wallerawang and a copy also be provided to the Lithgow Business Association for their information.
4. All renewals before the 30th June 2013 to expire on the 30th June 2014.
5. Council review this policy by 31 December 2012.

MOVED: Councillor M F Ticehurst**SECONDED:** Councillor J J McGinnes**The motion was PUT and LOST****MOTION****THAT:**

1. Draft Policy 5.4 – Footpath Trading as attached to the business paper and previously publically exhibited be formally adopted.
2. No fee be charged for an application for footpath trading and/or renewal during the 2012/13 financial year, however this be reviewed as part of the draft 2013/14 Fees & Charges.
3. The adopted Policy be provided to local businesses in Lithgow, Portland and Wallerawang and a copy also be provided to the Lithgow Business Association for their information.
4. All renewals before the 30th June 2013 to expire on the 30th June 2014.
5. Council review this draft policy by 31st December 2013.

MOVED: Councillor R Thompson**SECONDED:** Councillor R Higlett**The MOTION was PUT and became the RESOLUTION****12-451 RESOLUTION****THAT:**

1. Draft Policy 5.4 – Footpath Trading as attached to the business paper and previously publically exhibited be formally adopted.
2. No fee be charged for an application for footpath trading and/or renewal during the 2012/13 financial year, however this be reviewed as part of the draft 2013/14 Fees & Charges.

3. The adopted Policy be provided to local businesses in Lithgow, Portland and Wallerawang and a copy also be provided to the Lithgow Business Association for their information.
4. All renewals before the 30th June 2013 to expire on the 30th June 2014.
5. Council review this draft policy by 31st December 2013.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higglett

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

Division -

FOR

Councillor M Statham
Councillor R Thompson
Councillor C Hunter
Councillor R Higglett

AGAINST

Councillor F Inzitari
Councillor M F Ticehurst
Councillor J J McGinnes

**ITEM-14 ENVIRO - 26/11/12 - REQUEST FOR EXEMPTION OF SECTION 94A
LEVY - LITHGOW WORKMENS CLUB**

ITEM 14 – DEALT WITH

**ITEM-15 ENVIRO - 26/11/12 - CENTENNIAL COAL - VARIOUS PROJECTS -
SPRINGVALE, ANGUS PLACE, AIRLY COAL, NEUBECKS**

ITEM 15 – DEALT WITH

**ITEM-16 ENVIRO - 26/11/12 - HARTLEY RYOLITE QUARRY - MODIFICATION
OF DEVELOPMENT CONSENT APPLICATION**

ITEM 16 – DEALT WITH

ITEM-17 ENVIRO - 26/11/12 - NOTICE OF PROPOSED STATE HERITAGE LISTING RAILWAY PROPERTIES LITHGOW

12-452 RESOLVED

THAT Council advise the Heritage Office of NSW that it has no objections to the proposed heritage listing of the identified Lithgow Railway Items.

MOVED: Councillor C Hunter **SECONDED:** Councillor R Thompson.

ITEM-18 OPER - 26/11/12 - WATER REPORT

12-453 RESOLVED

THAT Council note the water report.

MOVED: Councillor R Thompson **SECONDED:** Councillor C Hunter

ITEM-19 OPER - 26/11/12 - AQUATIC CENTRE CARPARK

12-454 RESOLVED

THAT Council adopt the following proposed changes for action:

1. Barton Street (adjacent to the Showground) is to be changed from the existing one-way street to a two-way street;
2. A Give Way or Stop sign is to be installed at the intersection of Fred Burley Drive and Barton Street (depending on the RMS warrant);
3. A median strip is to be installed at the intersection of Barton Avenue and George Coates Avenue to stop vehicles from crossing lanes when turning right into George Coates Avenue;
4. No Stopping zones are to be installed along all three sides of the overflow parking area (triangle section); and
5. Double lines (centre lines) are to be painted along Barton Street from Fred Burley Drive through to the intersection of Barton Street and George Coates Avenue.
6. Give Way signage is to be installed at the exit of the car park (triangle section).

7. Bollards are to be installed along one side of the triangle overflow car-parking section.
8. Refer pedestrian access issues from the Tony Luchetti Sportsground to TALC.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

ITEM-20 OPER - 26/11/12 - TENDERS FOR THE DESIGN AND CONSTRUCTION OF HASSANS WALLS BOARDWALK

12-455 RESOLVED

THAT Council:

1. Use the selective tendering method, pursuant to s168 of the Local Government (General) Regulation 2005, for the design and construction of Hassans Walls Boardwalk.
2. Invite tenders submissions for the design and construct of the modified Boardwalk at Hassans Walls Lookout from the following five companies;
 1. Australian Built Urban Designs
 2. Steel Works Engineering
 3. Wagner Pty Ltd
 4. Scully Pty Ltd
 5. Fleetwood Urban Pty Ltd

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

ITEM-21 COMM - 26/11/12 - DELEGATIONS AND CHANGES TO THE LOCAL PLAN MAKING PROCESS

12-456 RESOLVED

THAT:

1. Council accept the Ministers delegated plan making powers under Section 59(2) – (4) of the Environmental Planning and Assessment Act, 1979 and advises the Minister for Planning and Infrastructure of such acceptance.
2. Council sub-delegate these functions to the General Manager in accordance with Section 381 of the Local Government Act, 1993 and provides the Minister with Mr Roger Bailey's name and position.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett

ITEM-22 COMM - 26/11/12 - DARGAN CREEK RESERVE TRUST

12-457 RESOLVED

THAT Council advise the Department of Primary Industries;

1. That it does not wish to seek appointment as Trust Manager of the Dargan Creek Reserve
2. That Council nominate Councillor Hunter as a representative of Lithgow City Council as an ex-officio member of the Dargan Creek Reserve Trust at this time.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

ITEM-23 COMM - 26/11/12 - ANNUAL AND STATE OF THE ENVIRONMENT REPORTS

12-458 RESOLVED

THAT the Council:

1. Receive the Lithgow City Council Annual Report 2011/12.
2. Receive the Lithgow City Council State of the Environment Report 2011/12.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

ITEM-24 COMM - 26/11/12 - CHRISTMAS PROMOTIONS

12-459 RESOLVED

THAT Council note the Christmas Promotion Report.

MOVED: Councillor J J McGinnes

SECONDED: Councillor F Inzitari

ITEM-25 FINAN - 26/11/12 - MULTIPLE UNIT WATER PRICING

12-460 RESOLVED

THAT Council review the pricing for multiple units during the 2012 – 2013 Operational Plan & Delivery Program: Water Pricing / Water Financial Plan.

MOVED: Councillor J J McGinnes

SECONDED: Councillor F Inzitari

**ITEM-26 FINAN - 26/11/12 - AUDIT PRESENTATION OF THE 2011/12
GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL
REPORTS**

12-461 RESOLVED

THAT Council note this matter be withdrawn.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett

ITEM-27 FINAN - 26/11/12 - COUNCIL INVESTMENTS HELD 31 OCT 2012

12-462 RESOLVED

THAT Investments of \$17,629,107.28 for the period ending 31 October 2012 be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

**ITEM-28 COMM - 26/11/12 - COMMEMORATION OF THE BLUE MOUNTAINS
CROSSING MEETING MINUTES 3 OCTOBER 2012**

12-463 RESOLVED

THAT Council:

1. Notes the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting Minutes of 1 August 2012.
2. Approve the allocation of \$10,000 funding and \$10,000 in-kind support to the Hartley District Progress Association for Blue Mountains Crossing Bicentenary events as detailed in this report.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

**ITEM-29 OPER - 26/11/12 - LITHGOW INDOOR AQUATIC CENTRE ADVISORY
COMMITTEE MINUTES - 1 NOVEMBER 2012**

12-464 RESOLVED

THAT:

1. Council note the Minutes of the Aquatic Centre Working Party Meeting held on 23 August 2012.
2. The tree located at Barton Street adjacent to the exit driveway from the pool be pruned to facilitate bus movements entering the site, dropping off patrons and exiting the site.

MOVED: Councillor J J McGinnes

SECONDED: Councillor M F Ticehurst

ITEM-30 COMM - 26/11/12 - YOUTH COUNCIL MINUTES - 30 OCTOBER 2012

12-465 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 30 October 2012.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

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 10.09pm