



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

15 APRIL 2013

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 15 APRIL 2013**

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Meeting Commenced 7.00pm

Public: 28

**ACKNOWLEDGEMENT OF COUNTRY**

**PRESENT**

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

**APOLOGIES**

**13-106 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 F Inzitari

**The Mayor called for a moments silence in honour of the late Chris Bird of Hartley, and regular attendee at Council Meetings.**

**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**

**13-107 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 18 March 2013 were taken as read and confirmed by Councillors R Higlett and F Inzitari.

**DECLARATION OF INTEREST**

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

The General Manager advised that in accordance with Section 451 of the Local Government Act 1993 Councillor Statham, Higlett and Inzitari have provided special

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disclosure forms in relation to the Draft Planning Proposal for Principal Lithgow City Council LEP 2013.

Councillor J J McGinnes declared a Pecuniary in item 11, due to him being the owner of a business in Main Street, Lithgow with an awning. He will vacate the Chambers.

Councillor R Higlett declared a Pecuniary in item 11, due to him being a business owner in Main Street, Lithgow with an awning. He will vacate the Chambers.

## **QUESTIONS FROM THE PUBLIC**

At 7.08pm Members of public gallery were invited to participate in the Public Forum Session.

### **PF – 15/4/13 – SHERILEE STEAD**

Mrs Stead raised concerns over the footpath in Main Street. She requested that funds be allocated to pull up the existing paving and replace it with a safer surface. With the arrival of UWS she has concerns that more people may slip.

*The Mayor thanked Mrs Stead for her comments.*

*The General Manager advised that Council has allocated funds in the 2013/14 budget for CBD enhancement.*

Mrs Stead asked Council to consider using the rates paid for this purpose.

### **PF – 15/4/13 – MR JOHN FULLER**

Mr Fuller made enquiries about a response to letters handed to the Mayor at a meeting last Thursday and asked what Council intended to do about the health issues in Cullen Bullen in relation to Sewerage.

*The Group Manager Environment and Development advised that Council has been investigating the on site sewerage management issues in Cullen Bullen. Health problems at Cullen Bullen have not arose as anticipated.*

Mr Fuller then enquired as to the Health issues from Sewerage at the Hotel.

*The Group Manager Environment and Development said that the Onsite inspection program is continuing and an initial inspection has taken place of the Hotel, the facility in question has made necessary improvements as requested.*

Mr Fuller asked why the shop and hotel are still allowed to operate with the alleged health issues.

*The Group Manager Environment and Development advised that ongoing inspections are taking place and that any further works will be carried out by the business. Mr Muir has advised that the situation is being adequately dealt with.*

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Mr Fuller asked what Council is going to do about the problems at his residents.

*The Group Manager of Environment and Development informed the Council that the issues at Mr Fuller's property are his responsibility as he has been told numerous times in the past.*

Mr Fuller asked how his plumber is supposed to do any work when Council has told him he isn't allowed.

*The Group Manager Environment and Development said that a legal notice has been issued to Mr Fuller to prevent him from illegally blocking the drain as he threatened to do.*

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**ITEM-1 NOTICE OF MOTION - 15/04/13 - UPDATE ON THE COALPAC CONSOLIDATION PROJECT - COUNCILLOR M TICEHURST**

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**13-108 RESOLVED**

**THAT** following the Lithgow City Council Media Release of the 5 March 2013, "Mayor seeks support for Coalpac Development"; could the General Manager and/or Senior Council Officers advise the Council, Councillors, ratepayers and residents at this Council Meeting if they are aware of when the second PAC Group will be finally handing down its decision on either the approval or dismissal of the Coalpac Consolidation Project at Cullen Bullen.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes

The General Manager advised that 'No' he was not aware.

**ITEM-2 NOTICE OF MOTION - 15/04/13 - UPDATE ON FIRE SAFETY IN AGED CARE FACILITIES IN THE LITHGOW LGA - COUNCILLOR M TICEHURST**

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**13-109 RESOLVED**

**THAT** the General Manager and/or Senior Council Officers make written representations to the owners/managers of our four local aged care facilities to ascertain if they are in fact up to date with the new legislation for the installation of water sprinklers into their respective facilities and if not, whether they require any planning or financial assistance from the Lithgow City Council to enable them to meet their future legal requirements.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes

**ITEM-3 NOTICE OF MOTION - 15/04/13 - REQUEST FOR URGENT REPORT ON CONTRACTING OUT THE SERVICES OF THE LITHGOW VISITORS INFORMATION CENTRE (MINERS LAMP) - COUNCILLOR M TICEHURST**

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**13-110 RESOLVED**

**THAT:**

1. In light of the current public exhibition of our Councils combined Draft Delivery and Operations Plan for 2013 – 2017 and the current and ongoing huge financial costs of running the Lithgow Visitors Information Centre (Miners



Lamp), now totalling over \$835,000 in both direct and indirect costs to the Council and ratepayers, could General Manager and/or Senior Council Officers please provide an urgent report to the Council, Councillors, ratepayers and residents on the real possibility of contracting out the services of the Lithgow Visitors Information Centre (Miners Lamp)?

2. This report come back through the Tourism Committee.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes

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**ITEM-4            NOTICE OF MOTION - 15/04/13 - FIRE SAFETY AT THE UNION  
THEATRE LITHGOW - COUNCILLOR J MCGINNES**

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**MOTION**

**THAT** the General Manager and/or Senior Council Officers provide an urgent verbal and further written report to the Council meeting concerning the fire safety for patrons of the Council owned Union Theatre in Lithgow and that Council Officers also report on the condition of the fire escape routes on the northern side of the theatre and the condition of the stairs and pathways.

**MOVED:** Councillor J J McGinnes

**SECONDED:** Councillor M F Ticehurst

**AMENDMENT**

**THAT** until the doors on the southern side of the Union Theatre are accessible in an emergency the Theatre be closed.

**MOVED:** Councillor J J McGinnes

**SECONDED:** Councillor M F Ticehurst

The Amendment was PUT and became the MOTION.

**MOTION**

**THAT** until the doors on the southern side of the Union Theatre are accessible in an emergency the Theatre be closed.

The Motion was PUT and LOST

## PROCEDURAL MOTION - ORDER OF BUSINESS

### 13-111 RESOLVED

**THAT** Item 5 be deferred until after Item 16.

**MOVED:** Councillor R Higlett

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### ITEM-5 NOTICE OF MOTION - 15/04/13 - UPDATE ON THE RECENT COMMUNITY MEETING WITH RESIDENTS OF THE VALE OF CLWYDD - COUNCILLOR M TICEHURST

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Dealt with after Item 16

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### ITEM-6 GM - 15/04/13 - EXCLUSION OF NOTICE OF MOTION

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### 13-112 RESOLVED

**THAT** Council note the report on the exclusion of two Notices of Motion due to them being declared unlawful and therefore excluded from the Business Paper in accordance with Clause 240 of the NSW Local Government (General) Regulation 2005.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

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### ITEM-7 GM - 15/04/13 - COUNCIL MEETING LOCATIONS

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### 13-113 RESOLVED

**THAT** Council continue to hold its tri weekly Council meetings at the Council Chambers in Mort Street Lithgow.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor P Pilbeam

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

**Division -**

**FOR**

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

**AGAINST**

Councillor M F Ticehurst  
Councillor J J McGinnes

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**ITEM-8            GM - 15/04/13 - BELLS LINE OF ROAD LONG TERM STRATEGIC  
CORRIDOR PLAN**

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**13-114 RESOLVED**

**THAT** Council note the update on the Bells Line of Road Long Term Strategic Corridor Plan.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

**MATTER ARISING**

**13-115 RESOLVED**

**THAT** Council requests an update from the RMS on the plans for the Great Western Highway.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor C Hunter

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**ITEM-9                    ENVIRO - 15/04/13 - DRAFT PLANNING PROPOSAL FOR PRINCIPAL LITHGOW CITY LEP 2013**

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**MOTION**

**THAT** Council:

1. Endorse the Draft Lithgow City Planning Proposal; the Draft Lithgow City Local Environmental Plan 2013 and accompanying maps to commence the process in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979 (as amended)*.
  - 1A Note that the planning proposal and Draft LEP now includes the variations to the endorsed LUS as detailed in the section titled “Draft Local Environmental Plan 2013 – Minor Variations from the Endorsed Land Use Strategy” of this report.
  - 1B Seek the Gateway Determination to allow for a public exhibition period for the Planning Proposal and Draft LEP 2013 of at least 50 days.
2. Refer the above documents to the Western Region Office of the Department of Planning and Infrastructure to arrange for the issuing of a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979 (as amended)* to allow Council to proceed to public exhibition and formal government agency consultation.
3. Seek the Director-Generals opinion that inconsistencies between the Draft Lithgow City Local Environmental Plan 2013 and identified 117(2) Ministerial Directions are justified either by the endorsed Lithgow Land Use Strategy 2010-2030 or as being of local and minor significance.
4. Delegate to the General Manager authority to make any minor amendments to the adopted Draft Lithgow City Planning Proposal and Draft Lithgow City Local Environmental Plan 2013 that may arise after the formal adoption of this report or as conditions placed on the Gateway determination issued by DP & I.
5. Note that a report will be resubmitted to Council if significant amendments are required by the DP & I to the adopted Draft Lithgow City Local Environmental Plan 2013.
6. Notifies the public for a period of not less than 28 days of its intention to reclassify via Council resolution the following parcels of public land from “operational” to “community” classification under the provisions of the *Local Government Act, 1993*:

Community Hall	Civilian Widows Hall	Lithgow	Tank Street	Lot 1 DP517242
Community Hall	East St Public Hall and Park	Lithgow	East Street	Lot 114 DP 28254
Community Hall	Community Hall Vale of Clywdd	Lithgow	Mort Street	Lot 2 DP 563455

Indoor Sporting Facility	Reg Cowden Memorial Sports Centre Lithgow	Lithgow	Barton Street	Lot 3 DP 29016
Public Hall	Crystal Theatre	Portland	Wolgan St	Lot 1 DP 558522
Public Hall	Memorial Hall/Pre School Building	Wallerawang	Commens St	Lots 1,2,3,4,5 DP 15683

7. Undertake the preparation of a detailed rural lands study to inform a possible future Planning Proposal to provide for additional rural small lots within the Lithgow LGA, including areas around Hartley and Portland, and allocate \$80,000 towards this project in the 2014/15 operational plan. The study must take into account the impacts on the viability of our current urban centre, towns and villages, conflicting land use issues, levels of facilities and services required and their projected costs.
8. The site adjacent to Lithgow KFC consisting of lands as indicated in Attachment 5 be reflected in the draft Local Environmental Plan and Planning Proposal as zone B1 Neighbourhood Centre.
9. The site at Lidsdale consisting of lands bounded by the purple border in Attachment 6 be reflected in the draft Local Environmental Plan and Planning Proposal as zone IN2 Light Industrial.
10. Council approach the Department of Planning to allow additional uses in the land use table for the proposed R5 zone with consent for
  - Intensive plant agriculture
  - Extensive agriculture

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

## AMENDMENT

**THAT** Council:

1. Endorse the Draft Lithgow City Planning Proposal; the Draft Lithgow City Local Environmental Plan 2013 and accompanying maps to commence the process in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979 (as amended)*.
  - 1A Note that the planning proposal and Draft LEP now includes the variations to the endorsed LUS as detailed in the section titled “Draft Local Environmental Plan 2013 – Minor Variations form the Endorsed Land Use Strategy” of this report.
  - 1B Seek the Gateway Determination to allow for a public exhibition period for the Planning Proposal and Draft LEP 2013 of at least 50 days.

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5. Note that a report will be resubmitted to Council if significant amendments are required by the DP & I to the adopted Draft Lithgow City Local Environmental Plan 2013.
6. Notifies the public for a period of not less than 28 days of its intention to reclassify via Council resolution the following parcels of public land from “operational” to “community” classification under the provisions of the *Local Government Act, 1993*:

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Public Hall	Crystal Theatre	Portland	Wolgan St	Lot 1 DP 558522
Public Hall	Memorial Hall/Pre School Building	Wallerawang	Commens St	Lots 1,2,3,4,5 DP 15683

7. Undertake the preparation of a detailed rural lands study to inform a possible future Planning Proposal to provide for additional rural small lots within the Lithgow LGA, including areas around Hartley and Portland, and allocate \$80,000 towards this project in the 2014/15 operational plan. The study must take into account the impacts on the viability of our current urban centre, towns and villages, conflicting land use issues, levels of facilities and services required and their projected costs.
8. The site at Lidsdale consisting of lands bounded by the purple border in Attachment 6 be reflected in the draft Local Environmental Plan and Planning Proposal as zone IN2 Light Industrial.

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9. Council approach the Department of Planning to allow additional uses in the land use table for the proposed R5 zone with consent for
    - Intensive plant agriculture
    - Extensive agriculture

**MOVED:** Cllr F Inzitari

Amendment lapsed due to the want for a seconder

### **13-116 RESOLVED**

**THAT** Council:

1. Endorse the Draft Lithgow City Planning Proposal; the Draft Lithgow City Local Environmental Plan 2013 and accompanying maps to commence the process in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979 (as amended)*.
  - 1A Note that the planning proposal and Draft LEP now includes the variations to the endorsed LUS as detailed in the section titled “Draft Local Environmental Plan 2013 – Minor Variations from the Endorsed Land Use Strategy” of this report.
  - 1B Seek the Gateway Determination to allow for a public exhibition period for the Planning Proposal and Draft LEP 2013 of at least 50 days.
2. Refer the above documents to the Western Region Office of the Department of Planning and Infrastructure to arrange for the issuing of a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979 (as amended)* to allow Council to proceed to public exhibition and formal government agency consultation.
3. Seek the Director-Generals opinion that inconsistencies between the Draft Lithgow City Local Environmental Plan 2013 and identified 117(2) Ministerial Directions are justified either by the endorsed Lithgow Land Use Strategy 2010-2030 or as being of local and minor significance.
4. Delegate to the General Manager authority to make any minor amendments to the adopted Draft Lithgow City Planning Proposal and Draft Lithgow City Local Environmental Plan 2013 that may arise after the formal adoption of this report or as conditions placed on the Gateway determination issued by DP & I.
5. Note that a report will be resubmitted to Council if significant amendments are required by the DP & I to the adopted Draft Lithgow City Local Environmental Plan 2013.
6. Notifies the public for a period of not less than 28 days of its intention to reclassify via Council resolution the following parcels of public land from “operational” to “community” classification under the provisions of the *Local Government Act, 1993*:

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Community Hall	East St Public Hall and Park	Lithgow	East Street	Lot 114 DP 28254
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Indoor Sporting Facility	Reg Cowden Memorial Sports Centre Lithgow	Lithgow	Barton Street	Lot 3 DP 29016
Public Hall	Crystal Theatre	Portland	Wolgan St	Lot 1 DP 558522
Public Hall	Memorial Hall/Pre School Building	Wallerawang	Commens St	Lots 1,2,3,4,5 DP 15683

7. Undertake the preparation of a detailed rural lands study to inform a possible future Planning Proposal to provide for additional rural small lots within the Lithgow LGA, including areas around Hartley and Portland, and allocate \$80,000 towards this project in the 2014/15 operational plan. The study must take into account the impacts on the viability of our current urban centre, towns and villages, conflicting land use issues, levels of facilities and services required and their projected costs.
8. The site adjacent to Lithgow KFC consisting of lands as indicated in Attachment 5 be reflected in the draft Local Environmental Plan and Planning Proposal as zone B1 Neighbourhood Centre.
9. The site at Lidsdale consisting of lands bounded by the purple border in Attachment 6 be reflected in the draft Local Environmental Plan and Planning Proposal as zone IN2 Light Industrial.
10. Council approach the Department of Planning to allow additional uses in the land use table for the proposed R5 zone with consent for:
  - Intensive plant agriculture
  - Extensive agriculture

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

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**ITEM-10            ENVIRO - 15/04/13 - ESKBANK RAILWAY STATION PRECINCT - PROPOSED CUSTODY MANAGEMENT AGREEMENT**

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**13-117 RESOLVED**

**THAT** Council NOT enter into a Custody Management Agreement with Railcorp in relation to the Eskbank Station and surrounding precincts at this time.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari



**ITEM-11            ENVIRO - 15/04/13 - SAFETY OF AWNINGS OVER PUBLIC LANDS**

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Councillor Higlett and McGinnes vacated the chambers at 8.25pm due to their previous declaration of interest.

**13-118 RESOLVED**

**THAT** the following components of a street awning safety improvement program be implemented:

1. Identify owners of buildings with awnings over public lands.
2. Notify owners of their responsibility to keep awnings in good order in all conditions, including during storms.
3. Advise owners to seek legal advice about liability for failure or collapse of their awning.
4. Advise owners that awnings more than 10 years old are more susceptible to failure and should be inspected by a professional engineer for structural adequacy. Practice Note 18 “Inspection and Assessment of Existing Tied Awnings”, issued in July 2008 by the Association of Consulting Structural Engineers of NSW to be provided in the advice to owners of processes for the determination of awning safety.
5. Request owners to provide details of any inspections and works to council by 1 December 2013.
6. As an option to comply with No 5 above, obtain expressions of interest from owners of buildings with awnings over public lands on obtaining a ‘bulk rate’ from a structural engineer to:
  - Inspect their awning
  - Recommend repairs if necessary or provide certification of compliance if not necessary
  - Oversee repairs if necessary
  - Certify compliance once repairs have been carried out if necessary

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

Councillor Higlett and McGinnes returned to the chambers at 8.27pm

**ITEM-12          ENVIRO - 15/04/13 - VARIATION OF COVENANTS - LOT 4 DP  
1150411 - 147 COXS RIVER ROAD LITTLE HARTLEY**

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**13-119 RESOLVED**

**THAT** Council APPROVE a variation to the 88B Instrument for Lot 4 Deposited Plan 1150411, to allow the consideration of a Development Application which is contrary to the provisions of the instrument.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor C Hunter

**MATTER ARISING**

**MOVED**

**THAT** the Development Application for Lot 4 DP 1150411 be called in.

**MOVED:** Councillor M F Ticehurst

Lapsed due to the want for a seconder

**ITEM-13          ENVIRO - 15/04/13 - WOOD SMOKE REDUCTION PROGRAM -  
SUCSESFUL GRANT APPLICATION**

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**13-120 RESOLVED**

**THAT** the report on the successful receipt of funding under the 2013 Wood Smoke Reduction Program be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

**ITEM-14 OPER - 15/04/13 - LITHGOW CITY COUNCIL AND DELTA ELECTRICITY PROPOSED LAND EXCHANGE AT LAKE LYELL AND LAKE WALLACE**

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**13-121 RESOLVED**

**THAT** Council:

1. Formally accept from Delta Electricity Lot 3, DP 261232, Magpie Hollow Road, and Lot 3, DP 7171025, Barton Avenue;
2. Transfer Lot 3, DP 634322 and Lot 3, DP 634323, to Delta Electricity; and
3. Authorise the affixing of the Council seal to relevant documentation for the exchange of land between Council and Delta Electricity.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor P Pilbeam

**ITEM-15 OPER - 15/04/13 - WATER REPORT MARCH 2013**

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**13-122 RESOLVED**

**THAT** Council note the water report.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew

**ITEM-16 OPER - 15/04/13 - VALE OF CLYWDD STORM DAMAGE**

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**13-123 RESOLVED**

**THAT** Council:

1. Establish a long term voluntary property acquisition program for the Vale of Clywdd so that properties continually affected by flood damage can be purchased by Council and cleared for the purpose of widening the channel of the creek;
2. Set up a special fund for this purpose where the sum of \$50,000 be set aside each year to acquire flood affected properties; and
3. Clean up the Vale of Clwydd Creek as a matter of urgency.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J McGinnes

**ITEM-5 NOTICE OF MOTION - 15/04/13 - UPDATE ON THE RECENT COMMUNITY MEETING WITH RESIDENTS OF THE VALE OF CLWYDD - COUNCILLOR M TICEHURST**

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**13-124 RESOLVED**

**THAT** that the Notice of Motion be withdrawn

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor W McAndrew

**ITEM-17 OPER - 15/04/13 - WILLIWA CREEK ROAD PORTLAND**

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**13-125 RESOLVED**

**THAT** Council note that the creation of a public road over the track known as Williwa Creek Road has been legalised extending for a distance of no more than 1.5km from Coolamigal Road to a point south of Lot 102 in the Parish of Cullen Bullen.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

**ITEM-18 OPER - 15/04/13 - DELTA ELECTRICITY PIPELINE EASEMENT OVER LOT 1 DP 28230 WALLERAWANG**

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**13-126 RESOLVED**

**THAT** Council:

1. Council accept the request for Granting Easement in respect of the proposed Right of Carriageway and Easement for Pipeline over Lot 1 DP 28230 Wallerawang.
2. Authorise the affixing of the seal to any documentation in relation to this matter.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

**ITEM-19            OPER - 15/04/13 - TRANSFER OF CROWN PUBLIC ROAD TO  
LITHGOW CITY COUNCIL RYDAL**

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**13-127 RESOLVED**

**THAT** Council:

1. Agree to the transfer of ownership of the unformed section of Meadow Street Rydal from the Crown to Council;
2. Authorise the affixing of the Council Common Seal to those documents for the land transfer; and
3. Require the applicant to upgrade the whole 250 metre section of road to Council standard.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor P Pilbeam

**ITEM-20            OPER - 15/04/13 - LICENCE AGREEMENT WITH DELTA  
ELECTRICITY FOR DELTA PARK SOCCER FIELD**

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**13-128 RESOLVED**

**THAT** Council indicate its willingness to enter into a Licence Agreement between Delta Electricity, Lithgow City Rangers Soccer Club and Lithgow City Council for the use of Delta Park Soccer Field.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor C Hunter

**ITEM-21            OPER - 15/04/13 - CLARENCE COLLIERY WATER TRANSFER  
SYSTEM UPGRADE ENVIRONMENTAL ASSESSMENT AND DESIGN  
CONTRACT**

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**13-129 RESOLVED**

**THAT** the information on Clarence Colliery Water Transfer System Upgrade environmental assessment and design contract be confirmed, noting that the upper limiting fee of the total contract value is now \$438,973.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

**ITEM-22            FINAN - 15/04/13 - COUNCIL INVESTMENTS HELD TO 31 MARCH 2013**

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**13-130 RESOLVED**

**THAT** Investments of \$22,361,776.57 for the period ending 31 March 2013 be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

**ITEM-23            FINAN - 15/04/13 - COUNCIL PREMISES - 162 MORT STREET LITHGOW**

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**MOTION**

**THAT:**

1. Council offer the office accommodation area at 162 Mort Street to COC Limited in lieu of its ongoing contribution to economic development activities for and on behalf of Council and the Community;
2. All utility costs of electricity, gas and telephone be met by COC Limited;
3. The premises continue to be advertised for a commercial tenant and should one be found who is prepared to pay full commercial rental, COC Limited will vacate the premises providing adequate notice is given; and
4. Council request COC Limited consider coordinating and making available to community groups the use of a meeting room where it does not conflict with COC Limited's activities.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam

**AMENDMENT**

**THAT:**

1. Council advertise for community groups wishing to share office accommodation at 162 Mort St, Lithgow, including the use of a communal meeting room, kitchen & toilets on a month by month basis.
2. Community Groups will be chosen by Council on merit.
3. Outgoing utility costs of electricity, gas and telephone will be shared by all occupying community groups and capital improvements met by the requesting group.
4. The premises continue to be advertised for a commercial tenant and if a suitable tenant is found the community tenants will vacate.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes

The AMENDMENT was **PUT** and **LOST**

### **13-131 RESOLVED**

**THAT:**

1. Council offer the office accommodation area at 162 Mort Street to COC Limited in lieu of its ongoing contribution to economic development activities for and on behalf of Council and the Community;
2. All utility costs of electricity, gas and telephone be met by COC Limited;
3. The premises continue to be advertised for a commercial tenant and should one be found who is prepared to pay full commercial rental, COC Limited will vacate the premises providing adequate notice is given; and
4. Council request COC Limited consider coordinating and making available to community groups the use of a meeting room where it does not conflict with COC Limited's activities.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam

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 W McAndrew  
Councillor P Pilbeam  
Councillor M Statham

**AGAINST**

Councillor M F Ticehurst  
Councillor J J McGinnes

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**ITEM-24          FINAN - 15/04/13 - DRAFT POLICY 9.2 RECORDS MANAGEMENT  
VERSION 4 FOR ADOPTION**

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### **13-132 RESOLVED**

**THAT** Council acknowledge that no submissions were received during the advertising period to 11 February 2013 and adopt Draft Policy 9.2 Records Management Version 4.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

**ITEM-25          COMM - 15/04/13 - YOUTH COUNCIL MINUTES - 19 MARCH 2013**

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**13-133 RESOLVED**

**THAT** Council notes the minutes of the Youth Council meeting held 19 March 2013.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

**ITEM-26          COMM - 15/04/13 - CRIME PREVENTION COMMITTEE MEETING  
MINUTES - 250313**

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**13-134 RESOLVED**

**THAT** Council:

1. Note the minutes of the Crime Prevention Committee meeting of 25 March 2013; and
2. Investigate improved lighting in Gasworks Lane and the adjacent laneway.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew

**ITEM-27          OPER - 15/04/13 - SPORTS ADVISORY COMMITTEE MEETING  
MINUTES - 26 MARCH 2013**

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**13-135 RESOLVED**

**THAT** Council:

1. Approve the request for financial assistance for Roxsanne Van-Veen in the amount of \$300.00.
2. Note the minutes of the Sports Advisory Committee meeting held on 26 March 2013.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari



**ITEM-28            OPER - 15/04/13 - OPERATIONS WORKS COMMITTEE MEETING  
MINUTES - 27 MARCH 2013**

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**13-136 RESOLVED**

**THAT**

1. Council note the minutes of the Operations Works Committee meeting held on 27 March 2013; and
2. The works committee arrange to meet the residents of Wattlemount Road.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor R Higlett

**ITEM-29            COMM - 15/04/13 - BLUE MOUNTAINS CROSSING BICENTENARY  
COMMITTEE 030413**

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**13-137 RESOLVED**

**THAT** Council:

1. Notes the minutes of the Blue Mountains Crossing Committee held on the 03 April 2013.
2. Commission the production of 4,000 Crossings Commemorative Medallions and cases at a cost of \$6,000.
3. Donate 1,757 coins to the infant and primary school students in the LGA
4. Provide 1,000 medallions to the Hartley District Progress Association at cost price
5. Sell the remaining medallions to general public at \$5 each from the Visitor Centre.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew

**ITEM-30            COMM - 15/04/13 - ECONOMIC DEVELOPMENT ADVISORY  
COMMITTEE MEETING**

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**13-138 RESOLVED**

**THAT** Council notes the minutes of the Economic Development Advisory Committee held on the 19 March 2013.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

**ITEM-31            COMM - 15/04/13 - LITHGOW FLASH GIFT COMMITTEE MEETING  
MINUTES 25/03/13**

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**13-139 RESOLVED**

**THAT** Council notes the minutes of the Flash Gift Committee Meeting held on 25 March 2013.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor W McAndrew

**ITEM-32            DELEGATES REPORT - 15/04/13 - CENTROC BOARD MEETING IN  
WELLINGTON 28 FEBRUARY 2013**

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**13-140 RESOLVED**

**THAT** Council note the Delegate's Report on the Centroc Board meeting 28 February in Wellington.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor F Inzitari

## **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.*

### **UB - 15/4/13 - COUNCILLOR W MCANDREW**

Councillor McAndrew spoke in relation to the twice closed Baal Bone Mine that still has excessive amounts of Coal and by reopening the mine will bring a great deal of jobs back to the LGA. Councillor McAndrew requested Council make representation through the State member to the Minister to reopen the mine.

### **13-141 RESOLVED**

**THAT** the request for urgent representations to the Minister to reopen the Baal Bone Mine be declared as business of great urgency.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

The Mayor declared the matter to be of great urgency in accordance with clause 241 of the Local Government (General) Regulations.

### **13-142 RESOLVED**

**THAT** an urgent meeting be arranged with the Minister through the State member Paul Toole to reopen the Baal Bone Mine

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

**There being no further business the meeting closed at 9.46pm.**