



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

08 JULY 2013

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 8 JULY 2013**

Meeting Commenced 7.00pm

Public: 47

ACKNOWLEDGEMENT OF COUNTRY

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 W McAndrew

APOLOGIES

13-217 RESOLVED

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

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

OTHER ABSENTEES

Councillor M F Ticehurst (suspended)

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

13-218 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 17 June 2013 were taken as read and confirmed by Councillors R Thompson and R Higlett.

DECLARATION OF INTEREST

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

NIL

MAYORAL MINUTE

The Mayor presented a Mayoral Minute for the consideration of Council.

MAYORAL MINUTE - 08/07/13 - CODE OF MEETING PRACTICE - SUSPENDED COUNCILLOR

13-219 RESOLVED

THAT Council:

1. Note the Mayoral Minute on the Code of Meeting Practice, Suspended Councillor; and
2. Reaffirm its decision not to accept any contribution from a suspended councillor during Council meetings, including during the Public Forum.

MOVED: Councillor M Statham

SECONDED: Councillor R Thompson.

Councillor McGinnes requested his name be recorded AGAINST the motion.

PUBLIC FORUM

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

PF – 08/7/13 – MR JOHN FULLER

Mr Fuller requested further information from Council in relation to two letters he received in the past two weeks. He queried the letter requesting payment of a fine in the amount of \$466.00. Mr Fuller queried the letter stating he had an illegal connection on his property. Mr Fuller has received a 124 summons saying he cannot touch the stormwater pipe. Mr Fuller requested Council sit down and discuss the issue.

Group Manager Environment and Development advised that the letter stating the payment of \$466.00 was not a fine but an administrative fee under the Protection Notice Act.

Mr Fuller requested Council staff sit down with him to discuss his issues.

The General Manager advised that Council has already sent him an invitation to come and sit down with Council staff to discuss his issue once again.

The General Manager suggested that Mr Fuller contact the Group Manager Environment and Development to arrange a time.

The Mayor advised that she would arrange a date late next week.

PF – 08/07/13 – MR HOWARD FISHER

Mr Fisher made a statement in relation to Item 20 of the Agenda and the commitment to acquire Wattlemount Road. Certain undertakings were taken at a meeting held in January 2013. Council was to apply for the dedication of a section of Wattlemount Road and then arrange the sealing of the road and continued maintenance. The Operations Committee Meeting minutes of the 19th June 2013 did not uphold these commitments and the residents received no notification of this recommendation to Council.

EXTENSION OF TIME

13-220 RESOLVED

THAT there be an extension of time for public forum

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari

Mr Fisher continued saying that Council had maintained the road in the past.

Mr Fisher requested that Councillors refer to the previous Council Resolution when making determination of this report.

Mr Fisher asked that Council proceed with the acquisition of this road.

The Mayor thanked Mr Fisher for his comments.

PF – 08/07/13 – MRS SUE GRAVES

Mrs Graves made enquiries about the future of the Lithgow Private Hospital being used by specialists. Mrs Graves attended a meeting at the Private Hospital in relation to this issue and enquired as to Council's involvement with this issue? Have Council been involved in any meetings? Where does the community stand?

The Mayor advised that Council is supportive of seeking a resolution. The General Manager and members of the private hospital attended a meeting with Mrs Jillian Skinner to resolve the issue and the specialists will now pay more to use the rooms.

Mrs Graves asked if the Private Hospital is receiving assistance or support in developing a business plan.

The Mayor advised that Council is waiting on further information.

PF – 08/07/13 – MR HOWARD FISHER

Mr Fisher enquired as to where the Council is up to in seeking an apology from Mr Ticehurst in relation to Tidy Towns?

The General Manager advised that he was not aware of any apology.

What will Council do about this?

The General Manager advised that it would be up to someone to make a Code of Conduct Complaint.

Mr Fisher continued that he had heard a rumour that Council was considering the cancellation of Question time? He would be concerned if this was not the case.

The Mayor advised of her special responsibility to ensure the meeting is conducted in a proper manner

PF – 08/07/13 – MR ANTHONY CRAIG

Mr Craig made a statement in relation to Item 20 of the Agenda and the Right of Carriageway at Wattlemount Road. Mr Craig was concerned that if Council have made decisions in the past they should be upheld.

Mr Craig referred to an issue he raised with regards to the closure of Kirkconnell Gaol and a letter of apology that was to be sent to Paul Toole as a result.

The Mayor thanked Mr Craig for his comments

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ITEM-1 NOTICE OF MOTION - 08/07/13 - URGENT REQUEST FOR OFFICERS REPORT ON COUNCIL BIO-RETENTION POND IN BOWEN VISTA ESTATE - COUNCILLOR J MCGINNES

13-221 RESOLVED

THAT the Council advise and update councillors on the current installation of a council Bio-retention Pond in Bowen Vista Estate.

MOVED: Councillor J J McGinnes

SECONDED: Councillor R Thompson.

ITEM-2 NOTICE OF MOTION - 08/07/13 - REQUEST FOR OFFICERS REPORT ON PRIVATE REQUEST FOR COUNCIL TO ACQUIRE A HOME AND LAND ON FARMERS CREEK LITHGOW - COUNCILLOR J MCGINNES

13-222 RESOLVED

THAT the Council advise and update councillors on a private request for the council to acquire a home and land in the flood zone on Farmer Creek Lithgow, near Tank Street?

MOVED: Councillor J J McGinnes

SECONDED: Councillor W McAndrew.

ITEM-3 NOTICE OF RECISSION MOTION - 08/07/13 - RECOGNITION OF SIR JOSEPH COOK AND MARJORIE JACKSON

13-223 RESOLVED

THAT Council renames Cook Street Plaza to Marjorie Jackson Plaza in recognition of Lithgow's World-renowned athlete Marjorie Jackson.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

ITEM-4 GM - 08/07/13 - PIDT NO 05/2012 - SUSPENSION OF COUNCILLOR MARTIN TICEHURST - FOUR MONTHS

13-224 RESOLVED

THAT Council:

1. Note that the Local Government Pecuniary Interest and Disciplinary Tribunal has issued orders that Councillor Martin Ticehurst is suspended from holding civic office for a period of four (4) months commencing on 15 July 2013.
2. Note that a councillor, while suspended from civic office is not entitled to exercise any of the functions of the civic office, and is not entitled to any fee or other remuneration to which they would otherwise be entitled as the holder of the civic office.
3. Note the Council previous decisions that during a period of suspension that Council not accept any contribution from a suspended councillor during the Council meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

MATTER ARISING

THAT Council in writing formally advises the State Member for Bathurst Paul Toole the following:

1. Council strongly refutes and rejects the accusations in his letter as to the behaviour of Council especially regarding comments like "in the way the process has been conducted and the inconsistencies of Lithgow City Council", "the Code of Conduct complaint could be perceived as nothing more than a witch-hunt by Lithgow City Council", "continual breaches by Lithgow City Council and their ongoing demonstration of their lack of professional behaviour within their internal operations severely impedes them in serving the community that they represent" etc. These and other comments are totally wrong, vexatious and absolute rubbish.
2. That he apologises in writing to Lithgow City Council
3. That he apologises in writing to Councillor Thompson, Hunter and McAndrew and past Councillor's Fisher, Castle and Danaher.
4. That he apologises in writing specifically to GM Roger Bailey and previous Mayor Neville Castle regarding comments in his letter that go to the very heart of their reputation and standing in their community, accusing them of bias, hypocrisy, lack of leadership, misleading the public etc. Further examples of totally wrong, vexatious, disgraceful and rubbish comments.
5. That he apologises in writing to the people of the LGA for his actions and explains to them why he supports a continuing misbehaving Councillor that has shamed and embarrassed this whole community.
6. That a copy of this motion be sent to the Lithgow Mercury for printing, the NSW Premiers Office and to the Lithgow Tidy Towns Committee.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

The Mayor vacated the Chair at 8.09pm.

Councillor Higlett and Councillor Inzitari vacated the chair at 8.10pm.

The Councillors indicated that this issue was prior to their time on Council and that it would be inappropriate for them to vote on the matter.

The Deputy Mayor assumed the chair at 8.10pm and declared the lapse in Motion due to the loss of a quorum.

The Mayor resumed the chair at 8.11pm.

Both Councillor Higlett and Inzitari returned to the chambers at 8.11pm.

**ITEM-5 GM - 08/07/13 - PIDT NO 06/2012 - SUSPENSION OF COUNCILLOR
MARTIN TICEHURST - TWO MONTH SUSPENSION**

MOTION

THAT the recommendation be rejected.

MOVED: Councillor J J McGinnes

The motion lapsed due to no seconder

13-225 RESOLVED

THAT Council:

1. Note that the Local Government Pecuniary Interest and Disciplinary Tribunal has issued orders that Councillor Martin Ticehurst is suspended from holding civic office for a period of two (2) months commencing on 15 November 2013.
2. Note that a councillor, while suspended from civic office is not entitled to exercise any of the functions of the civic office, and is not entitled to any fee or other remuneration to which he would otherwise be entitled as the holder of the civic office.
3. Note the Council previous decisions that during a period of suspension that Council not accept any contribution from a suspended councillor during the Council meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

Councillor McGinnes requested his name be recorded AGAINST the Motion.

ITEM-6 GM - 08/07/13 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION

MOTION

THAT Council:

1. Set the remuneration in 2013/14 for Councillors at \$9,825
2. Set the remuneration in 2013/14 for the Mayor at \$20,810
3. Set the 2013/14 car lease payable by the Mayor at \$2,310

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

AMENDMENT

THAT Council not increase the Councillor/Mayoral payments.

MOVED: Councillor J McGinnes

SECONDED: Councillor F Inzitari

The MOTION was PUT and **LOST**

FURTHER AMENDMENT

THAT Council:

1. Set the remuneration in 2013/14 for Councillors at \$9,825
2. Set the remuneration in 2013/14 for the Mayor at \$20,810 (plus the Councillor fee of \$9,825).
3. Set the 2013/14 car lease payable by the Mayor at NIL

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

On being PUT the Amendment became the MOTION.

13-226 RESOLVED

THAT Council:

1. Set the remuneration in 2013/14 for Councillors at \$9,825
2. Set the remuneration in 2013/14 for the Mayor at \$20,810 (plus the Councillor fee of \$9,825).
3. Set the 2013/14 car lease payable by the Mayor at NIL

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter

**ITEM-7 GM - 08/07/13 - REGIONAL DEVELOPMENT AUSTRALIA FUND -
ROUND FIVE**

13-227 RESOLVED

THAT Council note the report on RDAF round five funding and receive a late report in relation to this item.

MOVED: Councillor R Thompson **SECONDED:** Councillor W McAndrew.

**ITEM-25 LATE SUPPLEMENTERY REPORT - GM - 08/07/13 - REGIONAL
DEVELOPMENT AUSTRALIA FUND - ROUND FIVE LATE
SUPPLEMENTARY REPORT**

13-228 RESOLVED

THAT the funding of \$344,635 be allocated to the Union Theatre for the provision of new change rooms.

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

13-229 RESOLVED

THAT Council:

1. Allocate its own funds of up to \$360,000 from accumulated surpluses, if required
2. Authorise the Mayor and Deputy Mayor to make changes if applications are considered to be unacceptable.

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

ITEM-8 GM - 08/07/13 - ZIG ZAG RAILWAY UPDATE

13-230 RESOLVED

THAT Council note the updated report on the Zig Zag Railway.

MOVED: Councillor R Thompson **SECONDED:** Councillor W McAndrew.

**ITEM-9 GM - 08/07/13 - LITHGOW CBD REVITALISATION ACTION PLAN
STEERING COMMITTEE DRAFT TERMS OF REFERENCE**

13-231 RESOLVED

THAT Council adopt the draft Terms of Reference for the Lithgow CBD Revitalisation Action Plan Steering Committee.

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

**ITEM-10 GM - 08/07/13 - LOCAL GOVERNMENT NSW INAUGRAL
CONFERENCE**

13-232 RESOLVED

THAT Council:

1. Note the request for input towards the inaugural Local Government NSW Conference
2. Determine 3-5 issues of concern in the Lithgow Local Government Area and provide them to the Association
3. Appoint the Mayor, Deputy Mayor and another councillor as voting delegates to the Conference
4. Authorise the General Manager to attend the Conference as an observer
5. Authorise the Mayor to appoint alternate delegates and/or additional observers if required

MOVED: Councillor W McAndrew **SECONDED:** Councillor R Thompson.

13-233 RESOLVED

THAT

1. Council provide the following issues of concern in the Lithgow Local Government to the Association:
 - Decentralisation and Job Creation
 - Regional Road Funding
 - Coal and Power Industry Security
 - Funding for Infrastructure
 - Securing of Bells Line of Road Corridor and the completion of the Great Western Highway between Mt Victoria and Lithgow
2. Authorise the General Manager to expand on the above and submit the issues on behalf of Council.

MOVED: Councillor R Thompson **SECONDED:** Councillor R Higlett

13-234 RESOLVED

THAT Council appoint Councillor Hunter as the third voting delegate to the Local Government NSW Annual Conference

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

13-235 RESOLVED

THAT Council Authorise Councillor Pilbeam and Councillor Higlett to attend the Local Government NSW Annual Conference as observers

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

**ITEM-11 ENVIRO - 08/07/13 - DA115/13 - INSTALLATION OF ABOVE
GROUND WATER TANKS - 991 GREAT WESTERN HIGHWAY
LITHGOW**

13-236 RESOLVED

SUSPENDED STANDING ORDERS

THAT Mrs Harland be permitted to address Council

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

MOTION

THAT:

1. Development Application DA115/13 be rejected on basis of the proximity of two 10,500 Ltr tanks to the nearby heritage residence and the lack of solar access to the said residence
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor J J McGinnes

SECONDED: Councillor C Hunter

The Motion was PUT and LOST.

13-237 RESOLVED

THAT:

1. Development Application DA115/13 be approved subject to the conditions in the attached 79C assessment report along with the addition of:
 - i. This development approval relates to the installation of four (4) above-ground UPVC water tanks only. Each water tank shall have a maximum capacity not exceeding 10.5kilolitres
 - ii. The overflow from each proposed water tank is to be connected to the street water table by 100mm diameter UPVC drainage pipes. The discharge pipe is to be suitably protected against damage where it enters the layback kerb. All work is to be inspected by Council prior to back-filling
 - iii. The overall height of the front-most tank pairing (adjacent to the Great Western Highway alignment) is to be lowered by 300mm. Earthworks associated with such work are to be suitably retained and drained to Council's satisfaction.
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 W McAndrew

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993

Division - FOR

Councillor R Higlett
Councillor F Inzitari
Councillor W McAndrew
Councillor R Thompson
Councillor M Statham

AGAINST

Councillor J J McGinnes
Councillor C Hunter

ITEM-12 ENVIRO - 08/07/13 -DA119/13 - MENS SHED - FRED BURLEY DRIVE

13-238 RESOLVED

THAT:

1. Combined Development/Construction Certificate Application No. 119/13DACC be approved subject to the conditions in the attached 79C assessment report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett.

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Division -

FOR

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

AGAINST

Councillor J J McGinnes

ITEM-13 ENVIRO - 080713 - CENTENNIAL COAL WASHERY UPGRADE & LOGISTICS PROJECT BLACKMANS FLAT

13-239 RESOLVED

THAT:

1. The information in the report on the Centennial Coal Washery Project be noted.
2. Correspondence be provided to Centennial Coal Pty Ltd advising that Council will consider providing its landowners consent for the part of the development proposed to be on Council owned land when a formal request is provided to Lithgow City Council.
3. If and when a formal request for landowners consent be provided to Council, the General Manager determine whether or not to provide that landowners consent.
4. Additional consultation is to be held between Council and Centennial Coal to ensure the project does not impact upon the viability of Council's approved waste depot.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-14 ENVIRO - 08/07/13 - VARIATION OF STH BOWENFELS DA094/12 - DWELLING & GARAGE

13-240 RESOLVED

THAT

1. Council approve a variation to Clause 6.3 of the South Bowenfels DCP in this instance and allow fill to a maximum level of 2.8 metres.
2. A Division be called in accordance with requirements of Section 375A(3) of the Local Government Act, 1993

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

A **DIVISION** was called in accordance with requirements of Section 375A(3) of the Local Government Act, 1993

Division – (Unanimous)

FOR

Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor W McAndrew
Councillor J J McGinnes
Councillor M Statham
Councillor R Thompson

ITEM-15 ENVIRO - 08/07/13 - MODIFICATION OF DEVELOPMENT APPLICATION REPORT - DA180/12 - PROPOSED GARAGE- 1 GOLF LINKS ROAD, MARRANGAROO

13-241 RESOLVED

THAT:

1. That Section 96 Modification of Consent (S96022/13) for 180/12DA be approved with condition No 19 to be amended to read as follows:

“That prior to any works, the Right of Way is to be created by way of a Transfer Granting Easement and is to be implemented between the property owners of Lot 15 DP1029863 and property owners of Lot 1 DP840412 in which the right of way will be impacted upon, at full cost of the applicant.”

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 C Hunter.

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Division (Unanimous)

FOR

Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor W McAndrew
Councillor J J McGinnes
Councillor M Statham
Councillor R Thompson

ITEM-16 ENVIRO - 08/07/13 - DA 127/13 - ADDITIONS & ALTERATIONS - UNION THEATRE

13-242 RESOLVED

THAT:

1. Combined Development/Construction Certificate Application 127/13DACC be approved subject to the conditions in the attached 79C assessment report
2. Council staff investigate the removal of the walkway and report to Council
3. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor C Hunter

SECONDED: Councillor R Higlett.

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Division (Unanimous)

FOR

Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor W McAndrew
Councillor J J McGinnes
Councillor M Statham
Councillor R Thompson

ITEM-17 OPER - 08/07/13 - MASTER ACCESS DEED BETWEEN RAILCORP & COUNCIL TO ACCESS THE RAILWAY TRACK (GENERALLY) AND FOR THE SOUTH BOWENFELS SEWERAGE SCHEME UPGRADE (SPECIFICALLY)

13-243 RESOLVED

THAT Council authorise the affixing of the Common Seal to the Railcorp Master Access Document.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

ITEM-18 OPER - 08/07/13 - PURCHASE OF LIGHT VEHICLES

13-244 RESOLVED

THAT Council note the report on the purchase of light vehicles.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

ITEM-19 OPER - 08/07/13 - WATER REPORT

13-245 RESOLVED

THAT Council note the water report.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari.

**ITEM-20 OPER - 08/07/13 - OPERATIONS WORKS COMMITTEE MEETING
MINUTES - 19 JUNE 2013**

13-246 RESOLVED

THAT Council:

1. Note the minutes of the Operations Works Committee Meeting held on 19 June 2013.
2. Investigate alternative options that may assist the residents to undertake maintenance of Wattlemount Road.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

**ITEM-21 OPER - 08/07/13 - SPORTS ADVISORY COMMITTEE MINUTES - 25
JUNE 2013**

13-247 RESOLVED

THAT:

1. Council approve financial assistance of \$1,000.00 from the current allocation for Financial Assistance for Sporting Representations (\$500.00 for Bryce Chapman and \$500.00 for Chad Heath); and
2. Council note the minutes of the Sports Advisory Committee meeting held on Tuesday, 25 June 2013.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

**ITEM-22 OPER - 08/07/13 - TRAFFIC AUTHORITY LOCAL COMMITTEE
MEETING MINUTES - 6 JUNE 2013**

13-248 RESOLVED

THAT Council notes the minutes of the Traffic Authority Committee meeting held on 6 June 2013.

MOVED: Councillor F Inzitari

SECONDED: Councillor C Hunter.

ITEM-23 COMM - 08/07/13 - YOUTH COUNCIL MEETING 25 JUNE 2013

13-249 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 25 June 2013.

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

**ITEM-24 CONFIDENTIAL - CLOSED REPORT - FINAN - 08/07/13 - LEGAL
ACTION - ILLEGAL WATER CONNECTION**

13-250 RESOLVED

THAT Council consider this report in Closed Council pursuant to Section 10A(2)(g) of the Local Government Act 1993.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter.

13-251 RESOLVED

THAT Council move into Closed Council to consider the confidential report.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

The General Manager asked if there were any objections from the Public with regards to the confidential reports being considered in closed Council.

There were NIL objections.

At 10.28pm the Council resolved to move into Closed Council.

**ITEM-24 CONFIDENTIAL - CLOSED COUNCIL - FINAN - 08/07/13 - LEGAL
ACTION - ILLEGAL WATER CONNECTION**

13-252 RESOLVED

THAT Council delegate to the General Manager, Roger William Bailey, for the prosecution of any person who, without having obtained a relevant approval, commits an offence in breach of the Act.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

At 10.37pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Higlett

The General Manager announced the recommendations of the Closed Council.

There being no further business the meeting concluded at 10.39pm.