



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

25 NOVEMBER 2013

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 25 NOVEMBER 2013**

Meeting Commenced 7.00pm

The Mayor acknowledged the passing of Council Officer – Chris Lane

ACKNOWLEDGEMENT OF COUNTRY

Public: 24

PRESENT

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

OTHER ABSENTEES

Councillor M F Ticehurst (suspended)

APOLOGIES

NIL

Also in attendance

Mr Roger Bailey, General Manager
Miss Rhiannan Pace, Minutes Secretary
Mr Andrew Muir, Group Manager Environment and Development
Mrs Juli-Ann Brozek, Group Manager Corporate and Community
Mr Chris Schumacher, Acting Group Manager Operations

CONFIRMATION OF MINUTES

13-394 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 28 October 2013 were taken as read and confirmed by Councillors R Thompson and P Pilbeam.

DECLARATION OF INTEREST

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

Councillor W McAndrew declared a pecuniary conflict of interest in item 6, due to the item being a Development Application in his name. He will vacate the Chambers.

QUESTIONS FROM THE PUBLIC

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

PF – 25/11/13 – MRS SUE GRAVES

Mrs Graves made a statement in relation to the Salt reduction promotion on tonight's agenda. She made comment that the salt is not available in local retailers.

The Mayor advised that she believed this was an initial survey and after further follow up it will become available.

Mrs Graves then made a further statement in relation to Item 10 of the agenda.

The Mayor thanked Mrs Graves for her comments.

PF – 25/11/13 – MR JEFF CAFÉ

Mr Café made enquiries about the proposal received by Council in relation to "Fitness Passport".

The General Manager advised that further information has been requested and a response will be given shortly.

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PRESENTATION

A presentation was given by Leanne Smith of Intentus - Chartered Accountants on Councils Financial Reports.

PROCEDURAL MOTION

13-395 RESOLVED

THAT Item 8 be brought forward.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam

Councillor McGinnes requested his name be recorded **AGAINST** the Motion.

ITEM-8 CORP - 25/11/13 - AUDIT PRESENTATION OF THE 2012/13 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS

13-396 RESOLVED

THAT:

1. Council thank Ms Leanne Smith of Intentus (previously the Morse Group) for her presentation.
2. Council accept submissions, in writing, for a period of seven days following the audit address until 4.30pm on the 2 December 2013 which will be forwarded to Councils Auditors.

MOVED: Councillor C Hunter

SECONDED: Councillor R Thompson.

Councillor J McGinnes requested his name be recorded **AGAINST** the motion

PROCEDURAL MOTION

THAT Items 22 and 23 be brought forward to be dealt with before Item 1.

MOVED: Councillor J McGinnes

SECONDED: Councillor F Inzitari

The motion was **PUT** and **LOST**

**ITEM-1 GM - 25/11/13 - RETURNS UNDER SEC 449 LG ACT 1993
DISCLOSING INTERESTS OF COUNCILLORS & DESIGNATED
PERSONS - SUSPENDED COUNCILLOR M TICEHURST**

13-397 RESOLVED

THAT Council acknowledge the disclosure received on 8 November 2013 under Section 449 of the Local Government Act 1993 for the period 1 July 2012 to 30 June 2013 from suspended Councillor M Ticehurst.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

ITEM-2 GM - 25/11/13 - REVIEW OF COUNCIL POLICIES

13-398 RESOLVED

THAT:

1. The proposed changes to the Council Policies be noted by Council
2. The policies be dealt with in separate sections at different council meetings.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

**ITEM-3 GM - 25/11/13 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES
AND PROVISION OF FACILITIES TO COUNCILLORS**

13-399 RESOLVED

THAT Council:

1. Adopt Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors,' Version 6;
2. Advise the Division of Local Government that the Policy has been publically advertised and adopted.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett.

**ITEM-4 ENVIRO - 25/11/13 - COALPAC CONSOLIDATION PROJECT
 CULLEN BULLEN**

13-400 RESOLVED

THAT Council note the withdrawal of the project application for the Coalpac Consolidation Project.

MOVED: Councillor P Pilbeam

SECONDED: Councillor R Thompson.

ITEM-5 ENVIRO - 25/11/2013 - PLANNING BILLS

13-401 RESOLVED

THAT the information on the introduction of the *Planning Bill 2013* and *Planning Administration Bill 2013* be noted.

MOVED: Councillor P Pilbeam

SECONDED: Councillor R Thompson.

**ITEM-6 ENVIRO - 25/11/13 - DEVELOPMENT APPLICATION DA239-13 -
 PROPOSED GARAGE - 16 WINDARRA PLACE MARRANGAROO -
 COUNCILLOR W MCANDREW**

Councillor W McAndrew left the chambers at 7.42pm.

13-402 RESOLVED

THAT:

1. Council approve Development Application No DA239/13 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 F Inzitari

SECONDED: Councillor R Thompson.

A **DIVISION** was required 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 J J McGinnes
Councillor P Pilbeam
Councillor M Statham
Councillor R Thompson

Councillor McAndrew returned to the chambers at 7.43pm.

ITEM-7 OPER - 25/11/13 - WATER REPORT - NOVEMBER 2013

13-403 RESOLVED

THAT Council note the water report.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari.

**ITEM-8 CORP - 25/11/13 - AUDIT PRESENTATION OF THE 2012/13
GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL
REPORTS**

Item 8 was dealt with earlier

ITEM-9 CORP - 25/11/13 - 2012/13 ANNUAL REPORT

13-404 RESOLVED

THAT Council adopt the Lithgow City Council Annual Report 2012-2013.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett.

Councillor McGinnes requested his name be recorded **AGAINST** the Motion.

ITEM-10 CORP - 25/11/13 - QUARTERLY PERFORMANCE REPORT ON 2013-2014 OPERATIONAL PLAN FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2013

13-405 RESOLVED

THAT:

1. The surplus of \$10,655 for the 2013-2014 Operational Plan as detailed in the Quarterly Performance Report for the period 1 July to 30 September 2013 be adopted.
2. Council authorise the variations to the Council budget as outlined in the report.
3. The Council notes that the Group Manager of Corporate and Community, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and Reporting) Regulation 2009, (s203) that Council's 2013-2014 Operational Plan has been reviewed and the financial position of Council is satisfactory.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-11 CORP - 25/11/13 - COUNCIL INVESTMENTS HELD TO 31 OCTOBER 2013

13-406 RESOLVED

THAT Investments of \$21,302,839.33 for the period ending 31 October 2013 be noted.

MOVED: Councillor P Pilbeam

SECONDED: Councillor C Hunter.

**ITEM-12 CORP - 25/11/13 - 2011/12 DLG COMPARATIVE INFORMATION ON
NSW LOCAL GOVERNMENT**

13-407 RESOLVED

THAT Council notes the 2011/12 Comparative Information on NSW Councils recently released by the Division of Local Government.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Hunter.

ITEM-13 CORP - 25/11/13 - LITHGOW HERITAGE PRECINCT

13-408 RESOLVED

THAT Council:

1. Note the report on the Lithgow Heritage Precinct.
2. Note the work to be undertaken in relation to the Inch Street Railway Bridge, Blast Furnace Park and the Heritage Working Party.
3. Consider in the 2014/15 budget deliberations, the allocation of funds for these projects.
4. That a sculpture in recognition of Andrew Brown a pioneer be considered in the 2014/15 budget for inclusion into the Lithgow Historic Walk.

MOVED: Councillor F Inzitari

SECONDED: Councillor C Hunter.

**ITEM-14 CORP - 25/11/13 - BLUE MOUNTAINS CROSSING BICENTENARY
COMMITTEE - 6 NOVEMBER 2013**

MOTION

THAT items 14 – 19 inclusive be moved as recommended.

MOVED: Councillor R Higlett

SECONDED: Councillor P Pilbeam

AMENDMENT

THAT Items 14 – 19 be dealt with individually

MOVED: Councillor W McAndrew

SECONDED: Councillor J McGinnes

The **MOTION** and **AMENDMENT** were **WITHDRAWN**

13-409 RESOLVED

THAT:

1. Council note the minutes from the Blue Mountains Crossing Bicentenary Committee Meeting of 6 November 2013.
2. Signage option 3 be utilised.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

**ITEM-15 CORP - 25/11/13 - DISABILITY ACCESS COMMITTEE MINUTES - 12
NOVEMBER 2013**

13-410 RESOLVED

THAT Council notes the minutes of the Disability Access Committee meeting held 12 November 2013.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-16 CORP - 25/11/13 - YOUTH COUNCIL MINUTES - 29 OCTOBER 2013

13-411 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 29 October 2013.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett

ITEM-17 CORP - 25/11/13 - 12 NOVEMBER 2013 - TOURISM ADVISORY COMMITTEE

13-412 RESOLVED

THAT Council notes the minutes of the Tourism Advisory Committee held on the 12 November 2013.

MOVED: Councillor R Higlett

SECONDED: Councillor R Thompson.

ITEM-18 CORP - 25/11/13 - 15 OCTOBER 2013 - TOURISM ADVISORY COMMITTEE

13-413 RESOLVED

THAT Council notes the minutes of the Tourism Advisory Committee held on the 15 October 2013.

MOVED: Councillor R Higlett

SECONDED: Councillor F Inzitari.

**ITEM-19 OPER - 25/11/13 - OPERATIONS COMMITTEE MEETING MINUTES -
25 SEPTEMBER 2013**

13-414 RESOLVED

THAT Council note the minutes of the Operations Committee meeting held on Wednesday, 25 September 2013.

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

**ITEM-20 OPER - 25/11/13 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 29 OCTOBER 2013**

13-415 RESOLVED

THAT Council note the minutes of the Sports Advisory Committee held on the 29 October 2013.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

**ITEM-21 ENVIRO - 25/11/13 - UNION THEATRE MANAGEMENT COMMITTEE
MINUTES - 8 OCTOBER 2013**

13-416 RESOLVED

THAT Council:

1. Note the minutes of the Union Theatre Management Committee held on 8 October 2013.
2. Extend an invitation to John Cobb to explain the proposed plans for the federal funding.

MOVED: Councillor J J McGinnes

SECONDED: Councillor C Hunter

ITEM-22 NOTICE OF MOTION - 25/11/13 - COC LIMITED SEEKING SUPPORT FROM COUNCIL - COUNCILLOR F INZITARI

13-417 RESOLVED

THAT:

1. Council provide support to COC Limited in its endeavour to attract funding for the Eskbank Rail Heritage Centre
2. If COC Limited is successful in attracting Resources for Regions funding that Council advertise a proposal under Section 356 of the Local Government Act to provide financial assistance by way of administering the funding for the project. (Noting that COC Limited would be responsible for managing the project including selection and management of contractors and acquittal of the funds).
3. Council write a letter to COC Limited in support of the above.
4. The existing use by the Model Rail of the railway station be encouraged.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew

ITEM-23 NOTICE OF MOTION - 25/11/13 - FUTURE OF WALLERAWANG POWER STATIONS - COUNCILLOR W MCANDREW

13-418 RESOLVED

THAT Council instigate an immediate meeting with Energy Australia regarding the rumoured closure of Wallerawang Power Station, the number of effected employees and further, that Council seek meetings with Centennial Coal Company regarding possible effects on their mines which currently provide coal supplies to the Station.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari.

BUSINESS OF GREAT URGENCY

NIL

There being no further business the meeting closed at 8.54pm.