



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

14 APRIL 2014

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 14 APRIL 2014**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 69

**PRESENT**

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

**APOLOGIES**

**14-151 RESOLVED**

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

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

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson

**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 Iain Stewart, Group Manager Operations

**CONFIRMATION OF MINUTES**

**14-152 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 24 March 2014 were taken as read and confirmed by Councillors W McAndrew and R Thompson

**DECLARATION OF INTEREST**

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

NIL

## **QUESTIONS FROM THE PUBLIC**

At 7.01pm Members of public gallery were invited to participate in the Public Forum Session.

### **PF – 14/04/14 - MRS SHIRLEY HODGES**

Mrs Hodges made a statement in relation to renaming of Guy Street.

*The Group Manager Environment and Development advised that this is proceeding. It is on public exhibition until the 1<sup>st</sup> May 2014. It will then be reported back to Council at the next available meeting.*

### **PF – 14/04/14 – MRS JODIE STEWART**

Mrs Stewart made a statement in relation to Item 10 of the Agenda.

*The Mayor thanked Mrs Stewart for her comments.*

### **PF – 14/04/14 – MR RICH EVANS**

Mr Evans made a statement in relation to Item 17 of the Agenda.

*The Mayor thanked Mr Evans for his comments.*

### **PF – 14/04/14 – MRS SUE GRAVES**

Mrs Graves made a statement in relation to Item 9 of the Agenda and enquired as to whether the program included a cycling path.

*The Group Manager Operations advised that it did not.*

Mrs Graves made an additional statement in relation to Item 14 of the Agenda.

*The Mayor thanked Mrs Graves for her comments*

### **PF – 14/04/14 – MRS ANN THOMPSON**

Mrs Thompson made a statement in relation to Item 10 of the Agenda.

*The Mayor thanked Mrs Thompson for her comments.*

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## PROCEDURAL MOTION

### 14-153 RESOLVED

**THAT** Item 10 be brought forward and considered at this point in the meeting

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson

### ITEM-10            **OPER - 14/04/14 - TENDERS FOR AQUATIC CENTRE STAGES 2, 3 AND 4**

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## MOTION

**THAT** Council:

1. Proceed with Stages 2 and 3 of the Lithgow Aquatic Centre as a priority
2. **ACCEPT** the tender from Icon Building Group for the construction of Lithgow Aquatic Centre Stage 2 and 3 for the sum of \$3,085,300 (ex GST)
3. Council **NOT** accept tenders for the construction of Lithgow Aquatic Centre Stage 4 at this time.
4. Continue to lobby for funding for the projects

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew

## AMENDMENT

**THAT** Council defer the tenders at the present time until the public exhibition time for the Draft Management Plan is finalised and comes back to Council for determination on the 2<sup>nd</sup> June 2014.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes

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

### 14-154 RESOLVED

**THAT** Council:

1. Proceed with Stages 2 and 3 of the Lithgow Aquatic Centre as a priority
2. **ACCEPT** the tender from Icon Building Group for the construction of Lithgow Aquatic Centre Stage 2 and 3 for the sum of \$3,085,300 (ex GST)
3. Council **NOT** accept tenders for the construction of Lithgow Aquatic Centre Stage 4 at this time.
4. Continue to lobby for funding for the projects

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew

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

**Division -**

**FOR**

Councillor C Hunter  
Councillor W McAndrew  
Councillor P Pilbeam  
Councillor M Statham  
Councillor R Thompson

**AGAINST**

Councillor J McGinnes  
Councillor M Ticehurst

**ITEM-1                    MAYORAL MINUTE - 14/04/14 - CREATION OF A FRIENDSHIP  
ARRANGEMENT WITH CHINESE CITIES**

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**14-155 RESOLVED**

**THAT** Council review its Sister City and Friendship City relationships.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor R Thompson.

**ITEM-2                    GM - 14/04/14 - APPOINTMENT OF REPLACEMENT COUNCILLORS  
TO COUNCIL COMMITTEES**

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**14-156 RESOLVED**

**THAT** Council appoint a replacement Councillor to the following committees:

- Youth Advisory Committee
- Aquatic Centre Committee

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew.

**14-157 RESOLVED**

**THAT:**

1. Councillor C Hunter be appointed as the representative on the Aquatic Centre Committee
2. Councillor W McAndrew be appointed as the representative on the Youth Advisory Committee.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor P Pilbeam.

**ITEM-3                    ENVIRO - 14/04/14 - DA261/13 - PROPOSED SINGLE DWELLING,  
JENOLAN CAVES ROAD HAMPTON NSW 2790**

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**14-158 RESOLVED**

**THAT:**

1. Development Application 261/13 be supported and referred to Department of Planning Infrastructure for its concurrence.
2. Should concurrence be granted the application be approved, subject to the conditions outlined in the attached 79C report.
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 P Pilbeam.

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

**Division (Unanimous) -  
FOR**

Councillor C Hunter  
Councillor W McAndrew  
Councillor J McGinnes  
Councillor P Pilbeam  
Councillor M Statham  
Councillor R Thompson  
Councillor M Ticehurst

**ITEM-4                    ENVIRO - 14/04/14 - DEVELOPMENT AND CONSTRUCTION  
APPROVALS - 2009-2013 COMPARATIVE FIGURES**

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**14-159 RESOLVED**

**THAT:**

1. The report on development application and construction certificate approvals be received.
2. A report be provided to Council outlining total DA costs including section 94A and comparisons on costs with other Council areas.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.



**ITEM-5            ENVIRO - 14/04/14 - LOCAL DEVELOPMENT PERFORMANCE MONITORING REPORT**

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**14-160 RESOLVED**

**THAT** the information on the Local Development Performance Monitoring Report be noted.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Hunter.

**ITEM-6            OPER - 14/04/14 - REVIEW OF LITHGOW CITY COUNCIL POLICIES**

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**14-161 RESOLVED**

**THAT** Council:

1. **ADOPT:**  
Policy - Meter Installation  
Policy - Restrictions
2. Renumber the policies according to the schedule.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor R Thompson.

**ITEM-7            OPER - 14/04/14 - WATER REPORT**

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**14-162 RESOLVED**

**THAT** Council:

1. Note the water report.
2. Include in the regular Water Report a category for complaints on dirty water.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes.

**ITEM-8            OPER - 14/04/14 - CLARENCE COLLIERY WATER TRANSFER SCHEME POWER SUPPLY UPGRADE**

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**14-163 RESOLVED**

**THAT** due to extenuating circumstances with respect to the strict Federal Government Grant Conditions and the Centennial Coal mine site ownership, Council elect to engage the services of Centennial Coal at a cost of \$180,000 (ex. GST) to facilitate the necessary power upgrades to the CCWTS.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-9                    OPER - 14/04/14 - 2013/2014 NSW FLOODPLAIN MANAGEMENT PROGRAM**

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**14-164 RESOLVED**

**THAT** Council:

1. **ACCEPT** the grant of \$4,276,670 towards the cost of the Farmers Creek Lithgow Flood Mitigation Scheme Stage 2.
2. Commit 1/3 contribution equivalent to \$2,138,335 in accordance with funding conditions
3. Authorise the affixing of the Council seal to any necessary documentation in relation to this project.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**MOTION**

**THAT** the General Manager be authorised to conduct the necessary negotiations with the Office of Local Government to renegotiate the LIRS funding agreement to move the allocated funding for Stage 4 of the Aquatic Centre to the Flood Management program

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew

The **MOTION** was **WITHDRAWN** to be dealt with as part of item 12

**ITEM-10                    OPER - 14/04/14 - TENDERS FOR AQUATIC CENTRE STAGES 2, 3 AND 4**

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Dealt with earlier

**ITEM-11                    CORP - 14/04/14 - COUNCIL INVESTMENTS HELD TO 31 MARCH 2014**

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**14-165 RESOLVED**

**THAT** Investments of \$20,193,758.53 for the period ending 31 March be noted.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Hunter.

**ITEM-12            CORP - 14/4/14 - COMBINED DELIVERY PROGRAM 2013-2017 AND  
DRAFT OPERATIONAL PLAN 2014-2015**

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**14-166 RESOLVED**

**THAT** given Councils resolution tonight to proceed with Stages 2/3 of the Aquatic Centre and NOT Stage 4 the combined Delivery Program 2013-2017 and Draft Operational Plan 2014-2015 be amended to reflect the resolution and be deferred until an Extra Ordinary meeting to be held on Thursday 17<sup>th</sup> April 2014 at 5pm.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes.

**ITEM-13            OPER - 14/04/14 - 25 MARCH 2014 - SPORTS ADVISORY  
COMMITTEE MEETING MINUTES**

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**14-167 RESOLVED**

**THAT** Council:

1. Note the minutes of the Sports Advisory Committee held on the 25<sup>th</sup> February 2014.
2. Provide Roxsanne Van-Veen with \$300 toward the cost of participating in the NSW Imparja Cup Cricket Team 2014.
3. Make an application for funding of \$25,000 under the NSW Department of Sport and Recreation's Participation and Facility Program for the upgrade of the tennis court surface at Lidsdale Tennis Courts.
4. Accept Mr John Legge and Mr Steve Brooks as the Sports Advisory Committee representatives from the Lithgow Storm JRLFC.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-14            CORP - 14/04/14 - CRIME PREVENTION COMMITTEE MINUTES - 24  
MARCH 2014**

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**14-168 RESOLVED**

**THAT** Council note the minutes of the Crime Prevention Committee held on the 24 March 2014.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-15            CORP - 14/04/14 - YOUTH COUNCIL MINUTES - 25 MARCH 2014**

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**14-169 RESOLVED**

**THAT** Council:

1. Note the minutes of the Youth Council meeting held 25 March 2014.
2. Appoints Rachael Besley to Youth Council.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor C Hunter.

**ITEM-16            CORP - 14/04/14 - LITHGOW FLASH GIFT COMMITTEE - 24 MARCH 2014**

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**14-170 RESOLVED**

**THAT** Council note the minutes of the Lithgow Flash Gift Committee held on the 24 March 2014.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew.

**ITEM-17            NOTICE OF MOTION - 14/04/14 - THE VILLAGE VOICE COMMUNITY NEWSPAPER - COUNCILLOR M TICEHURST**

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**14-171 RESOLVED**

**THAT:**

1. The information be noted.
2. A report be provided to Council on providing Council's budget of \$40,000 for the insertion of the Council Column in the Lithgow Mercury to be equally divided between the Lithgow Mercury and the Village Voice.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes.

**ITEM-18 NOTICE OF MOTION - 14/04/14 - LITHGOW CITY COUNCIL POLICY  
1.4 - TENDERING - COUNCILLOR M TICEHURST**

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**14-172 RESOLVED**

**THAT** the General Manager and/or Senior Council Officers provide a report to Councillors on updating of Lithgow City Council Policy 1.4 Tendering, in light of the findings of the Division of Local Government Report on the Goulburn Mulwaree Council Tender for a Recreational Complex.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes.

**ITEM-20 LATE REPORT - OPER - 14/04/14 - VOLUNTARY PURCHASE - 69  
SANDFORD AVENUE LITHGOW**

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**14-173 RESOLVED**

**THAT** Council authorise the affixing of the Common Seal to the Contract for Sale of Land and any other relevant documents for 69 Sandford Avenue, Lithgow.

**MOVED:** Councillor W McAndrew

**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**

**ITEM-19            CLOSED COUNCIL - OPER - 14/04/14 - FUEL TENDERS THROUGH CENTROC**

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**14-174 RESOLVED**

**THAT** Council move into Closed Council to consider the confidential report pursuant to Section 10A(2)(d)(i) of the Local Government Act 1993.

**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 in closed Council.

There were no objections.

At 8.44pm the Council resolved to move into Closed Council.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Hunter

Closed Council started at 8.45pm.

**14-175 RESOLVED**

**THAT** Council:

1. Accept the submitted pricing of Park Fuel as the sole provider for Lithgow City Council's bulk fuel deliveries for the next 2 year period (with a possible 12 month extension).
2. Advise Centroc of its decision.
3. Authorise the affixing of the Council seal to any necessary documentation in relation to this project.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Hunter.

At 8.48pm the Council resolved to refer to open Council

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

The General Manager announced the recommendations of the Closed Council.

**There being no further business the meeting concluded at 8.50pm.**