



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

12 MAY 2014

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 12 MAY 2014**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 33

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 P Pilbeam
Councillor M F Ticehurst

APOLOGIES

14-186 RESOLVED

An apology was received from Councillor W McAndrew who is out of the City on personal business

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

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

14-187 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 14 April 2014 were taken as read and confirmed by Councillors R Thompson and R Higlett

Confirmation of the Minutes of the Extraordinary Meeting of Council held on the 17 April 2014 were taken as read and confirmed by Councillors R Thompson and F Inzitari

DECLARATION OF INTEREST

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

Councillor M F Ticehurst declared a pecuniary interest in item 6 and 7, due to his son being an employee of Angus Place. He will vacate the Chambers.

Councillor C Hunter declared a less than significant non pecuniary interest in item 3, due to him being a trustee of the Crown Land Lease. He will vacate the Chambers.

Councillor C Hunter declared a significant non pecuniary in item 28, due to him being the President and Deputy Captain of the Rydal Fire Brigade. He will vacate the Chambers.

The General Manager declared a pecuniary interest in item 25.

QUESTIONS FROM THE PUBLIC

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

PF – 12/05/14 – MR WAYNE HOLLANDS

Mr Hollands made a statement in relation to item 27 of the agenda.

PROCEDURAL MOTION

14-188 RESOLVED

THAT an extension of time be granted.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson

The Mayor thanked Mr Hollands for his comments.

PF – 12/05/14 – MR JOHN FULLER

Mr Fuller addressed Council in relation to the mediation process he is currently undergoing with Council.

PROCEDURAL MOTION

14-189 RESOLVED

THAT an extension of time be granted.

MOVED: Councillor M Ticehurst

SECONDED: Councillor J McGinnes

The MOTION was PUT and **LOST**.

PF – 12/05/14 – MR ROBERT CLUFF

Mr Cluff addressed Council in relation to the heritage listing on his property.

PROCEDURAL MOTION

14-190 RESOLVED

THAT an extension of time be granted.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson

The Mayor thanked Mr Cluff for his comments.

The Group Manager Environment and Development advised that the property was already listed on the old LEP.

The Mayor asked Mr Cluff to provide her with further details.

PF – 12/05/14 – MR LINDSAY FEATHERSTONE

Mr Featherstone made a statement in relation to item 29 of the Agenda.

The Mayor thanked Mr Featherstone for his comments.

PF – 12/05/14 – MRS DIANNE DRURY

Mrs Drury made a statement in relation to item 27 of the agenda.

The Mayor advised that meetings have been held with the owners of the farm and that Councillors are listening to the issues the residents are raising.

The Group Manager Environment and Development informed the Council that an independent consultant was engaged to review the issues raised by residents. The consultant will be on site this week to commence investigations and Council will provide them with assistance.

PF – 12/05 – MR PHILLIP EARL

Mr Earl made a statement in relation to item 27 of the agenda.

The Mayor thanked Mr Early for his comments

PF – 12/05/14 – MRS SARAH CHILDS

Mrs Childs made a statement in relation to item 24 of the agenda.

PROCEDURAL MOTION

14-191 RESOLVED

THAT an extension of time be granted.

MOVED: Councillor C Hunter

SECONDED: Councillor R Thompson

The Mayor thanked Mrs Childs for her comments

PF – 12/05/14 – MR CHARLIE O'MAHONY

Mr O'Mahony made a statement in relation to item 27 of the agenda.

The Mayor thanked Mr O'Mahony for his comments.

PF – 12/05/14 – MR JAMIE GIOKARIS

Mr Giokaris made a statement in relation to item 27 of the agenda.

The Mayor thanked Mr Giokaris for his comments.

PF – 12/05/14 – MR WAYNE HOLLANDS

Mr Hollands made a further statement in relation to item 27 of the agenda.

The Mayor thanked Mr Hollands for his comments.

PF – 12/05/14 – MR JOHN FULLER

Mr Fuller made a statement in relation to item 5 of the agenda.

The Mayor requested Mr Fuller be seated and gave Mr Fuller a warning.

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PROCEDURAL MOTION

14-192 RESOLVED

THAT item 27 be brought forward and considered at this point in the meeting.

MOVED: Councillor M Ticehurst

SECONDED: Councillor R Thompson

ITEM-27 NOTICE OF MOTION - 12/05/14 - POULTRY FARM OPERATION CONCERNS - COUNCILLOR F INZITARI

14-193 RESOLVED

THAT Council enforce the condition that was agreed to by council and the owner of the chicken farm and set a date that would be no later than the 30th of May 2014 for an independent consultant of council's choice to report on the full operation of the chicken farm and that council act on its recommendations as quickly as possible.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

PROCEDURAL MOTION

14-194 RESOLVED

THAT item 21-28 with the exception of 27 be brought forward and considered at this point in the meeting.

MOVED: Councillor F Inzitari

ITEM-21 NOTICE OF MOTION - 12/05/14 - PIPING OF THE BOWEN VISTA BIO-RETENTION BASIN "V" DRAIN - COUNCILLOR F INZITARI

14-195 RESOLVED

THAT Council be provided with a report to the next Council Meeting detailing the possibility and cost of Council installing drainage pipes for the remainder of the length of the 'V' drain to the bio-retention basin in the Bowen Vista Estate.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

ITEM-22 NOTICE OF MOTION - 12/05/14 - PROPOSED CLOSURE OF THE LITHGOW AQUATIC CENTRE 50 METRE PUBLIC SWIMMING POOL - COUNCILLOR M TICEHURST

MOTION

THAT:

1. Council in recognising: -
 - (a) the tragic circumstances surrounding the personal injury matter currently before the NSW Supreme Court – Miller Vs Lithgow City Council & Anor in the NSW Supreme Court.; and
 - (b) Section 731 of the Local Government Act 1993 titled, Liability of councillors, employees and other persons; and
 - (c) the Condition Report to Lithgow City Council by the Facility Design Group on the Lithgow Aquatic Centre 50 metre Public Swimming Pool – November 2013, which publicly identified that 6 of the 7 Assets were NON-COMPLIANT,
that the Council immediately close the 50 metre Public Swimming Pool at the Lithgow Aquatic Centre until all 7 Assets are fully compliant for future public use.
2. A Division be called and recorded in the Meeting Minutes.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J McGinnes.

AMENDMENT

THAT the report be noted and presented to a Councillor Information Session before an urgent report be brought back to a future meeting of Council detailing legal advice with regards to Section 731 of the Local Government Act.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari

The Motion was PUT and became the **MOTION**.

14-196 RESOLVED

THAT the report be noted and presented to a Councillor Information Session before an urgent report be brought back to a future meeting of Council detailing legal advice with regards to Section 731 of the Local Government Act.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari

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

Division -

FOR

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

AGAINST

Councillor J J McGinnes
Councillor M F Ticehurst

ITEM-23 NOTICE OF MOTION - 12/05/14 - REGULATED RETAIL GAS PRICE INCREASES OF 17.5% FROM 1 JULY 2014 - COUNCILLOR M TICEHURST

14-197 RESOLVED

THAT the Mayor and/or General Manager advise the ratepayers and residents as to what the major financial and budget impacts will now be in the current publicly exhibited Council Draft Operational Plan for 2014 – 2015, following the State Government's IPART recently advising of a 17.5% increase in the price of Regulated Retail Gas from the 1 July 2014.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The General Manager provided advice on the current cost of gas and 2014-15 estimates for gas costs.

ITEM-24 NOTICE OF MOTION - 12/05/14 - FORTY BENDS UPGRADE - COUNCILLOR C HUNTER

MOTION

THAT Council recommends to NSW Government and RMS that the Forty Bends upgrade be deferred and funds be allocated to other safety upgrades on the Great Western Highway.

MOVED: Councillor C Hunter

SECONDED: Councillor J J McGinnes.

The Motion was PUT and **LOST**.

The General Manager vacated the chambers at 8.39pm.

ITEM-25 NOTICE OF MOTION - 12/05/14 - URGENT REVIEW GENERAL MANAGERS APPRAISAL PROCESS - COUNCILLOR J MCGINNES

14-198 RESOLVED

THAT:

1. Council convene a special workshop meeting of Councillors to consider changes to the upcoming General Managers Appraisal Process.
2. The Local Government Management Solutions Consultant be invited to attend the special workshop.
3. A Division be called and recorded in the Meeting Minutes.

MOVED: Councillor J McGinnes

SECONDED: Councillor M F Ticehurst.

Division (unanimous) -

FOR

Councillor C Hunter
Councillor R Higlett
Councillor F Inzitari
Councillor J J McGinnes
Councillor P Pilbeam
Councillor M Statham
Councillor R Thompson
Councillor M F Ticehurst

The General Manager returned to the chambers at 8.48pm.

ITEM-26 NOTICE OF MOTION - 12/05/14 - CALLING TENDERS FOR PUBLIC TOILETS LITHGOW CBD - COUNCILLOR J MCGINNES

14-199 RESOLVED

THAT:

1. Council proceed to immediately call tenders for the construction of two automatic self cleaning unisex public toilets in Lithgow's CBD. One to be located in Cook Street Plaza and the other in the Council carpark immediately behind the Taxi Rank and visible to Mort Street and with a further option for Council to explore the replacement of the toilets at Pioneer Park.
2. A Division be called and recorded in the Meeting Minutes.

MOVED: Councillor J McGinnes

SECONDED: Councillor M F Ticehurst.

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 M F Ticehurst

ITEM-28 NOTICE OF MOTION - 12/05/14 - PUBLIC TOILET AT RYDAL - COUNCILLOR P PILBEAM

Councillor Hunter vacated the chambers at 9.02pm.

14-200 RESOLVED

THAT Council before giving any further consideration to the provision of a public toilet at Rydal, Council examine the feasibility of utilising land and septic tank facilities already existing at the Rydal Bushfire premises presently owned by Council.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari.

Councillor Hunter returned to the chambers at 9.10pm.

**ITEM-29 CLOSED REPORT - 12/05/14 - PURCHASE OF LAND FOR TOILET
BLOCK AT RYDAL**

PROCEDURAL MOTION

14-201 RESOLVED

THAT due to the outcome of item 28 that item 29 be withdrawn.

MOVED: Councillor R Thompson

SECONDED: Councillor M Ticehurst.

**ITEM-1 GM - 12/05/14 - REVIEW OF COUNCIL POLICIES 9.20 RISK
MANAGEMENT AND 5.6 COMPANION ANIMALS POLICY**

14-202 RESOLVED

THAT Council:

1. **ADOPT** Policies
 - Companion Animals Policy
 - Risk Management Policy
2. Renumber the policies according to the schedule.

MOVED: Councillor R Thompson

SECONDED: Councillor M F Ticehurst.

ITEM-2 GM - 12/05/14 - REGIONAL ELECTRICITY CONTRACT

14-203 RESOLVED

THAT:

1. Council participate in the Centroc Electricity Contract using the services of Local Government Procurement (LGP); and
2. The General Manager be authorised on Council's behalf to sign relevant documentation accepting or rejecting Council to the best value contract once Tender Evaluation has been completed.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett.

ITEM-3 ENVIRO - 12/05/14 - CROWN LANDS LEGISLATION - WHITE PAPER

Councillor Hunter vacated the chambers at 9.13pm

14-204 RESOLVED

THAT:

1. The Mayor, Deputy Mayor and General Manager be delegated Authority to make a submission on the Crown Lands Legislation White Paper.
2. Council hold a Council Information Session to brief Councillors on the proposal.
3. Should any Councillors wish to have input into the White Paper then this be provided prior to Friday 30 May 2014.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

Councillor Hunter returned to the Chambers at 9.14pm.

**ITEM-4 ENVIRO - 12/05/14 - DA081/14 - PROPOSED EXTENSION TO
EXISTING GARAGE - LOT 56 DP 791926 - MAGPIE HOLLOW ROAD
SOUTH BOWENFELS**

14-205 RESOLVED

THAT:

1. Development Application DA081/14 be **APPROVED** with conditions of consent as detailed in the attached 79C report.
2. A Division be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

A **DIVISION** was required in accordance with the provisions of Section 375(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 M F Ticehurst

**ITEM-5 ENVIRO - 12/05/14 - REVIEW OF COUNCIL'S ON-SITE SEWAGE
MANAGEMENT STRATEGY**

14-206 RESOLVED

THAT:

1. Council place on Public Exhibition, the revised version of its On-site Sewage Management strategy for a period of 30 days including that the following fee structure is proposed for 2014/15:

High Risk	Annual Fee for inspection and approval \$33.10
Medium Risk	Annual Fee for inspection and approval \$29.10
Low Risk	Annual Fee for inspection and approval \$24.10
2. Submissions be invited
3. All submissions be reported back to Council for final adoption of the revised strategy.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J McGinnes.

Councillor Ticehurst vacated the chambers at 9.23pm.

**ITEM-6 ENVIRO - 12/05/14 - ANGUS PLACE MINE EXTENSION PROJECT
(SSD-5602)**

14-207 RESOLVED

THAT:

1. The information in the report on the Angus Place Mine Extension Project be noted.
2. In the event that the a Voluntary Planning Agreement is not able to be negotiated, Council request the Department of Planning and Infrastructure to impose a condition requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.

3. Council authorise the Mayor, Deputy Mayor and General Manager to make submissions to relevant government authorities and local members of parliament in support of the Angus Place Mine Extension Project.
4. A Division be called

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

Division (Unanimous) -

FOR

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

**ITEM-7 ENVIRO - 12/05/14 - SPRINGVALE MINE EXTENSION PROJECT
(SSD-5594)**

14-208 RESOLVED

THAT:

1. The information in the report on the Springvale Mine Extension Project be noted.
2. In the event that the a Voluntary Planning Agreement is not able to be negotiated, Council request the Department of Planning and Infrastructure to impose a condition requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.
3. Council authorise the Mayor, Deputy Mayor and General Manager to make submissions to relevant government authorities and local members of parliament in support of the Angus Place Mine Extension Project.
4. A Division be called

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

Division (Unanimous) -

FOR

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

Councillor M Statham
Councillor R Thompson
Councillor M F Ticehurst

Councillor Ticehurst returned to the chambers at 9.28pm

**ITEM-8 OPER - 12/05/14 - TENDERS FOR PLANT HIRE SODWALLS
 TARANA ROAD PROJECT**

14-209 RESOLVED

THAT Council accept the tender from Dukes Civil Pty Ltd at an estimated total cost of up to \$200,000 for the hire of the following items of plant and equipment:

- Komatsu Excavator 30tonne PC300 and associated attachments at the rate of \$115.00 per hour.
- Komatsu Excavator 30tonne PC300 and associated attachments at the rate of \$110.00 per hour
- Komatsu 120G Grader 555-5 at the rate of \$110.00 per hour
- Artic Dumper 40tonne Bell B40C at the rate of \$130 per hour
- Komatsu Loader 980 WA500 Hi Lift at the rate \$147 per hour
- Bomag Smooth Drum Roller 14 tonne at the rate \$85 per hour
- Kenworth/Western Star Bogie Tippers at the rate of \$90.00 per hour
- Acco Water Truck 13,000 litre Capacity at the rate of \$90.00 per hour
- Qualified Traffic Control Personal at the rate of \$69.00 per hour (per person)
- Arborist Qualified Personal at the rate of \$75.00 per hour (per person).

MOVED: Councillor P Pilbeam

SECONDED: Councillor C Hunter.

ITEM-9 OPER - 12/05/14 - WATER REPORT

14-210 RESOLVED

THAT Council note the water report.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett.

14-211 RESOLVED

THAT Council:

1. **ADOPT** Policies
 - Council - Closure of Council Facilities over the Christmas/New Year Period
 - Smoke Free Environment
 - Naming of Council Facilities
 - Bus Shelters/Street Seating - Advertising
 - Footpath Reservations - Works Undertaken by Adjacent Landowners
 - Kerb and Gutter Construction - Contributions
 - Public Gates and Grids on Local Roads
2. Renumber the policies according to the schedule.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

14-212 RESOLVED

THAT Investments of \$16,526,981.80 for the period ending 30 April be noted.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett.

MOTION

THAT:

1. Council advertise the proposed lease for the Lithgow and District Basketball Association.
2. The Sports Advisory Committee be advised of the lease

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes

AMENDMENT

THAT Council

1. Approve the proposed lease for Lithgow and District Basketball Association.
2. Authorise the affixing of the Council Seal to the relevant documentation for the lease of the Basketball Stadium between Council and Lithgow and District Basketball Association.
3. Forward the signed leases to LeFevre & Co Solicitors for registration
4. Advise the Sports Advisory Committee of the decision

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

The AMENDMENT was PUT and became the **MOTION**

14-213 RESOLVED

THAT Council

1. Approve the proposed lease for Lithgow and District Basketball Association.
2. Authorise the affixing of the Council Seal to the relevant documentation for the lease of the Basketball Stadium between Council and Lithgow and District Basketball Association.
3. Forward the signed leases to LeFevre & Co Solicitors for registration
4. Advise the Sports Advisory Committee of the decision

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari

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

Division -

FOR

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

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

MOTION

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 29 April 2014.
2. Trials for a 12 month period that six bicycles donated to Council be hired through the Visitor Information Centre at a daily rate of \$25 per day per bike and \$75 per family of four plus a bond of \$150 for one bicycle or \$300 for the family hire.
3. Appoint Ms Cassandra Baker to the vacant tourism operator position and Mr Steve Ring be appointed as the National Parks and Wildlife Service representative to the Tourism Advisory Committee in accordance with the Terms of Reference.
4. Purchase the Hassans Walls quilt for \$2,000 and display it within the Council building.

MOVED: Councillor R Higlett

SECONDED: Councillor P Pilbeam.

AMENDMENT

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 29 April 2014.
2. Trials for a 12 month period that six bicycles donated to Council be hired through the Visitor Information Centre at a daily rate of \$25 per day per bike and \$75 per family of four plus a bond of \$150 for one bicycle or \$300 for the family hire.
3. Appoint Ms Cassandra Baker to the vacant tourism operator position and Mr Steve Ring be appointed as the National Parks and Wildlife Service representative to the Tourism Advisory Committee in accordance with the Terms of Reference.

MOVED: Councillor C Hunter

SECONDED: Councillor M F Ticehurst.

The Amendment was PUT and **LOST**

14-214 RESOLVED

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 29 April 2014.
2. Trials for a 12 month period that six bicycles donated to Council be hired through the Visitor Information Centre at a daily rate of \$25 per day per bike and \$75 per family of four plus a bond of \$150 for one bicycle or \$300 for the family hire.
3. Appoint Ms Cassandra Baker to the vacant tourism operator position and Mr Steve Ring be appointed as the National Parks and Wildlife Service representative to the Tourism Advisory Committee in accordance with the Terms of Reference.
4. Purchase the Hassans Walls quilt for \$2,000 and display it within the Council building.

MOVED: Councillor R Higlett

SECONDED: Councillor P Pilbeam.

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

Division -

FOR

Councillor R Higlett
Councillor F Inzitari
Councillor P Pilbeam
Councillor M Statham
Councillor R Thompson

AGAINST

Councillor C Hunter
Councillor M F Ticehurst
Councillor J J McGinnes

ITEM-14 CORP - 12/05/14 - YOUTH COUNCIL MINUTES - 29 APRIL 2014

14-215 RESOLVED

THAT Council note the minutes of the Youth Council meeting held 29 April 2014.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett.

**ITEM-15 CORP - 12/05/14 - BLUE MOUNTAINS CROSSING BICENTENARY
COMMITTEE - 2 APRIL 2014**

14-216 RESOLVED

THAT Council note the minutes of the Blue Mountains Crossing Bicentenary Committee held 2 April 2014.

MOVED: Councillor C Hunter

SECONDED: Councillor F Inzitari.

**ITEM-16 CORP - 12/05/14 - COMMUNITY DEVELOPMENT COMMITTEE
MINUTES - 1 APRIL 2014**

14-217 RESOLVED

THAT Council:

1. Note the minutes of the Community Development Committee meeting held 1 April 2014.
2. Adopts existing Policy 4.4 Financial Assistance – Section 356 of The Local Government Act with the amendment of renumbering to 4.2.

MOVED: Councillor R Higlett

SECONDED: Councillor F Inzitari.

**ITEM-17 CORP - 12/05/14 - MAYORAL BUSHFIRE APPEAL COMMITTEE - 8
APRIL 2014**

14-218 RESOLVED

THAT Council note the minutes of the Mayoral Bushfire Appeal Committee meeting of 8 April 2014.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

**ITEM-18 OPER - 12/05/14 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 29 APRIL 2014**

14-219 RESOLVED

THAT Council note the minutes of the Sports Advisory Committee held on the 29th April 2014.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

**ITEM-19 OPER - 12/05/14 - TRAFFIC ADVISORY LOCAL COMMITTEE - 3
APRIL 2014**

Councillor McGinnes vacated the chambers at 9.56pm.

14-220 RESOLVED

THAT Council note the minutes of the Traffic Advisory Local Committee held on the 3 April 2014.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari.

Councillor McGinnes returned to the chambers at 9.58pm.

**ITEM-20 OPER - 24/03/14 - OPERATIONS COMMITTEE MEETING MINUTES -
5 MARCH 2014**

14-221 RESOLVED

THAT Council note the minutes of the Operations Committee meeting held on Thursday 10 April 2014.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

**ITEM-21 NOTICE OF MOTION - 12/05/14 - PIPING OF THE BOWEN VISTA
BIO-RETENTION BASIN "V" DRAIN - COUNCILLOR F INZITARI**

Item 21 was deal with earlier

**ITEM-22 NOTICE OF MOTION - 12/05/14 - PROPOSED CLOSURE OF THE
LITHGOW AQUATIC CENTRE 50 METRE PUBLIC SWIMMING POOL
- COUNCILLOR M TICEHURST**

Item 22 was deal with earlier

**ITEM-23 NOTICE OF MOTION - 12/05/14 - REGULATED RETAIL GAS PRICE
INCREASES OF 17.5% FROM 1 JULY 2014 - COUNCILLOR M
TICEHURST**

Item 23 was deal with earlier

**ITEM-24 NOTICE OF MOTION - 12/05/14 - FORTY BENDS UPGRADE -
COUNCILLOR C HUNTER**

Item 24 was deal with earlier

**ITEM-25 NOTICE OF MOTION - 12/05/14 - URGENT REVIEW GENERAL
MANAGERS APPRAISAL PROCESS - COUNCILLOR J MCGINNES**

Item 25 was deal with earlier

ITEM-26 NOTICE OF MOTION - 12/05/14 - CALLING TENDERS FOR PUBLIC TOILETS LITHGOW CBD - COUNCILLOR J MCGINNES

Item 26 was deal with earlier

ITEM-27 NOTICE OF MOTION - 12/05/14 - POULTRY FARM OPERATION CONCERNS - COUNCILLOR F INZITARI

Item 27 was deal with earlier

ITEM-28 NOTICE OF MOTION - 12/05/14 - PUBLIC TOILET AT RYDAL - COUNCILLOR P PILBEAM

Item 28 was deal with earlier

ITEM-29 CLOSED REPORT - 12/05/14 - PURCHASE OF LAND FOR TOILET BLOCK AT RYDAL

Item 29 was withdrawn

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 - 12/05/14 - COUNCILLOR R THOMPSON

Councillor Thompson advised that he had information from the recent mediation with Mr John Fuller that he wished to discuss with Council.

14-222 RESOLVED

THAT the matter raised by Councillor Thompson on the mediation with Mr John Fuller be declared as business of great urgency and considered in Closed Council pursuant to Section 10A(2)(b) of the Local Government Act 1993.

MOVED: Councillor M Ticehurst

SECONDED: Councillor R Thompson

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

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

There were no objections.

ITEM-30 CLOSED COUNCIL - MR JOHN FULLER - MEDIATION

At 10.10pm the Council resolved to move into Closed Council.

Closed Council started at 10.11pm.

14-224 RESOLVED

THAT Council:

1. Note the statement/agreement presented in relation to the mediation between Council and Mr John Fuller.

2. Provide copies of the statement/agreement to all Councillors

MOVED: Councillor M F Ticehurst

SECONDED: Councillor F Inzitari.

At 10.28pm the Council resolved to return to Open Council.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari

The General Manager announced the recommendation of the Closed Council.

There being no further business the meeting concluded at 10.29pm