



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

15 DECEMBER 2014

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 15 DECEMBER 2014**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 56

**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 McGinnes  
Councillor P Pilbeam  
Councillor M F Ticehurst

**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 Iain Stewart, Group Manager Operations

**CONFIRMATION OF MINUTES**

**14-472 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 17 November 2014 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 F Inzitari declared a less than significant non pecuniary interest in items 7 and 9, due to the applicant being a member of the Community forum of which Councillor Inzitari is a member. He will not vacate the Chambers.

Councillor Pilbeam declared a less than significant non pecuniary interest in items 7 and 9, due to the applicant being a member of the Community forum of which Councillor Pilbeam is a member. He will not vacate the Chambers.

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Councillor Higlett declared a less than significant non pecuniary interest in items 7 and 9, due to the applicant being a member of the Community forum of which Councillor Higlett is a member. He will not vacate the Chambers.

Councillor Statham declared a less than significant non pecuniary interest in items 7 and 9, due to the applicant being a member of the Community forum of which Councillor Statham is a member. She will not vacate the Chambers.

Councillor Hunter declared a pecuniary interest in item 20, due to him being member of one of the community groups seeking assistance. 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 – 15/12/14 – MRS DONNA UPTON**

Mrs Upton wished the General Manager, Staff and Councillors a merry Christmas and thanked them for their assistance throughout the year.

Mrs Upton addressed Council in relation to locality naming of Bogee and the lack of signage in the area.

*The Mayor thanked Mrs Upton for her comments.*

### **PF – 15/12/14 –MR BRUCE UPTON**

Mr Upton made a statement in relation to Item 20 of the Agenda.

*The Mayor thanked Mr Upton for his comments.*

### **PF – 15/12/14 – MR STEVEN BROOME**

Mr Broome made a statement in relation to item 10 of the Agenda.

*The Mayor thanked Mr Broome for his comments.*

### **PF – 15/12/14 – MR TOM FITZGERALD**

Mr Fitzgerald made a statement in relation to an item that is not on the Agenda.

*GMED advised he would discuss the matter with him after the meeting*

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**PF – 15/12/14 – MR TOM KENT**

Mr Kent made a statement in relation to Item 7 of the Agenda.

**PROCEDURAL MOTION**

**14-473 RESOLVED**

**THAT** an extension of time be granted

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor R Thompson

*The Mayor thanked Mr Kent for his comments*

**PF – 15/12/14 – MR ALEX IRWIN**

Mr Irwin made a statement in relation to Item 9 of the Agenda.

*The Mayor thanked Mr Irwin for his comments.*

**PF – 15/12/14 – MR IAN BOXWELL**

Mr Boxwell made a statement in relation to Item 9 of the Agenda.

*The Mayor thanked Mr Boxwell for his comments.*

**PF – 15/12/14 – MR WAYNE HOLLANDS**

Mr Hollands made a statement in relation to Item 4 of the Agenda.

*The Mayor thanked Mr Hollands for his comments.*

**PF – 15/12/14 – MR DEREK LARSON**

Mr Larson made a statement in relation to Item 5 of the Agenda.

*The Mayor thanked Mr Larson for his comments.*

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## **PROCEDURAL MOTION**

### **14-474 RESOLVED**

**THAT** public forum be extended

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor C Hunter

### **PF – 15/12/14 – MRS ROSEMARY BARBER**

Mrs Barber made a statement in relation to Item 7 of the Agenda.

*The Mayor thanked Mrs Barber for her comments.*

### **PF – 15/12/14 – MRS SUE GRAVES**

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

*The Mayor thanked Mrs Graves for her comments.*

## **PRESENTATION**

Council's Auditors Crowe Horwath gave a presentation of the 2013/14 General Purpose Financial Reports and Special Purpose Financial Reports and Special Schedules.

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**CLOSED REPORT**

**ITEM-30**      **MAYORAL MINUTE - CONFIDENTIAL REPORT- 15/12/14 - PERFORMANCE REVIEW OF THE GENERAL MANAGER**

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## **PROCEDURAL MOTION**

### **14-475 RESOLVED**

**THAT** Items 14 and 15 be brought forward and dealt with following the auditors presentation.

**MOVED:** Councillor McAndrew

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### **ITEM-14          CORP - 15/12/14 - AUDIT PRESENTATION OF THE 201314 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS**

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### **14-476 RESOLVED**

**THAT** Council:

1. Thank Mr Graeme Bradley and Mrs Clare Wagner of Crowe Horwath for their presentation.
2. Accept submissions, in writing, for a period of seven days following the audit address until 4.30pm on the 22 December 2014. All submission which are received by the due date be forwarded to Council's Auditors in line with Section 420(3) of the Local Government Act.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

A **DIVISION** was called by Councillor F Inzitari and Pilbeam.

**Division -**

**FOR**

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

**AGAINST**

Councillor M F Ticehurst  
Councillor J McGinnes

**ITEM-15            CORP - 15/12/14 - BALANCES OF COUNCIL'S RESERVES AND RESTRICTIONS AS AT 30 JUNE 2014**

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**14-477 RESOLVED**

**THAT** the information detailing Council's reserves and restrictions be noted.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari.

**PROCEDURAL MOTION**

**14-478 RESOLVED**

**THAT** Items 9 and 7 be brought forward and dealt with at this point in the meeting

**MOVED:** Councillor Ticehurst

**SECONDED:** Councillor McGinens

**ITEM-9            ENVIRO - 15/12/14 - SECTION 96 029/14 - MODIFICATION OF DEVELOPMENT APPLICATION 103-94DA - 'AUSTEN QUARRY TO AMEND THE FINAL FLOOR LEVEL FROM RL 730 TO RL 700 TO COMPENSATE**

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**14-479 RESOLVED**

**THAT:**

1. Section 96 Modification of Consent 029/14 for Development Application 103/94 be APPROVED, subject to the conditions outlines in the attached 79C Report with the exception of the following (as per the Group Manager Environment and Development's oral recommendation);
  - 9C be deleted
  - 9D be amended
  - 27 be amended
  - 27a be deleted
  - 28 be amended
  - 28a be deleted
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor M F Ticehurst

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

**ITEM-7                    ENVIRO - 15/12/14 - AUSTEN QUARRY STAGE 2 EXTENSION PROJECT (SSD 6084)**

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**MOTION**

**THAT** Council hold a public meeting with residents, the applicant and other interested parties as soon as possible with respect to the application.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J McGinnes.

The Motion was **PUT** and **LOST**

**14-480 RESOLVED**

**THAT**

1. The information in the report on the Austen Quarry 'Stage 2 Extension Project' be NOTED.
2. The Mayor, Deputy Mayor and General Manager be authorised to negotiate a Voluntary Planning Agreement in relation to the project.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

A **DIVISION** was called by Councillors F Inzitari and P Pilbeam.

**Division -**

**FOR**

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

Councillor R Thompson

**AGAINST**

Councillor M F Ticehurst

Councillor J McGinnes

**ITEM-1 GM - 15/12/14 - AIRLY MINE - COMMUNITY CONSULTATIVE COMMITTEE**

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**14-481 RESOLVED**

**THAT** Council appoint Councillor Hunter as the representative on the Airly Mine Community Consultative Committee.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-2 GM - 15/12/14 - MINING TASKFORCE**

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**14-482 RESOLVED**

**THAT** Council:

1. Write to the NSW Opposition (Robertson, Whan & Foley) asking they support a planning process, including the recent Government commitments, for mines that is streamlined and provides certainty for all parties.
2. Make a submission on the Draft Industry Action Plan for Mining generally supporting the recommendations
3. Raise concerns over the possible expansion of the Gardens of Stone with Anthony Roberts, NSW Minister for Resources and Energy.
4. Maintain its opposition to the expansion of the Gardens of Stone National Park
5. Write to the NSW Opposition in relation to Gardens of Stone seeking a commitment that it will not expand the National Park
6. Activate community to support for the Springvale Coal Mine application for consent extension. Also provide Council support through the PAC process for the Springvale application and seek support from the Federal Member for the proposal
7. Write to Minister for Planning in New Year on the process for the Springvale application
  - PAC for Springvale
  - Timely and efficient process for mining applications generally
  - Seek advice on the progress of implementation of the Government's improvements in the application processes

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

## **MATTER ARISING**

### **MOTION**

#### **THAT:**

1. Council hold a public community meeting on employment/unemployment in the Lithgow LGA within the first two weeks of February 2015.
2. Council extend an invitation to this community meeting to its ratepayers, residents, local businesses and all other interested people and organisations, along with inviting the Federal Member of Calare, John Cobb, the Premier Mike Baird, State Opposition Leader John Robertson and the State Member for Bathurst and Minister for Local Government, Paul Toole and a representative of the Department of Industry and Investment.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes

The MOTION Was **PUT** and **LOST**

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

#### **Division -**

#### **FOR**

Councillor W McAndrew  
Councillor C Hunter  
Councillor M F Ticehurst  
Councillor J McGinnes

#### **AGAINST**

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

**ITEM-3            ENVIRO - 15/12/14 - LANDA STREET, LITHGOW - ROAD RE-NAMING**

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### **MOTION**

#### **THAT:**

1. The information on the NSW Road Naming Policy 2013 in relation to the re-naming of Landa Street, Lithgow be noted
2. Council commence the process to rename Landa Street, Lithgow.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J McGinnes.

The Motion was **PUT** and **LOST**

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

**Division -**

**FOR**

Councillor M F Ticehurst  
Councillor J McGinnes

**AGAINST**

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

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**ITEM-4            ENVIRO - 15/12/14 - WALLERAWANG CHICKEN FARM**

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**MOTION**

**THAT:**

1. Council investigate another report on the chicken farm by a consultant of Council's choice on the operational aspects of the farm.
2. This report be brought back to council be no later than 30 March 2015.

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

**AMENDMENT**

**THAT** Council officer's provide a report at the next Council meeting and every meeting there after in respect of complaints received by Council and actions taken by Council in relation to the Wallerawang Chicken Farm operations.

**MOVED:** Councillor M Ticehurst                      **SECONDED:** Councillor J McGinnes

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

## 14-483 RESOLVED

**THAT** Council officer's provide a report at the next Council meeting and every meeting there after in respect of complaints received by Council and actions taken by Council in relation to the Wallerawang Chicken Farm operations.

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes

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

**Division -**

### **FOR**

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

### **AGAINST**

Councillor P Pilbeam  
Councillor F Inzitari  
Councillor M Statham

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## ITEM-5            ENVIRO - 15/12/14 - DA184/14    SUBDIVISION    GLEN    ALICE AGRICULTURAL CLASSIFICATION

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### **MOTION**

#### **THAT:**

1. Council advise the applicant that it is unable to change the agricultural classification of the land associated with DA184/14 based on the response provided by the Department of Primary Industries.
2. Council refuse to grant consent to DA184/14 on the basis that the proposal does not comply with the provisions of Clause 13(1)(c) of Rylstone Local Environmental Plan 1996.
3. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor C Hunter.

## AMENDMENT

**THAT** the report on DA184/14 be deferred until the next meeting of Council so that all of the information can be provided in a full report including the information (SOE) from the applicant.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

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

## 14-484 RESOLVED

**THAT** the report on DA184/14 be deferred until the next meeting of Council so that all of the information can be provided in a full report including the information (SOE) from the applicant.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

## ITEM-6            ENVIRO - 15/12/14 - PROPOSED LEASE LITHGOW COMMUNITY NURSERY LOT 11 DP 1029892 COALBROOK STREET LITHGOW

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### MOTION

**THAT:**

1. Council Advise the Lithgow and District Community Nursery of its proposal to grant a lease of a 6800m<sup>2</sup> section of Lot 11 DP 1029892 known as 2A Coalbrook St Lithgow, as shown on the attached plan, subject to the following terms and conditions:
  - i. Lease term of 5yrs with an additional 5 year option with no transfer or assignment of the lease.
  - ii. Rent \$1
  - iii. Public Liability Insurance of \$20M, or amount as required by Council at the time of renewal of the lessee's public liability policy.
  - iv. Legal access to the site be resolved prior to finalisation of the lease
2. The lease proposal be publicly notified for a period of twenty-eight (28) days in accordance with Section 47 and 47A of the Local Government Act and any submissions received be duly considered by Council in a further report prior to finalising any lease agreement.
3. Council Subsidise water, sewer and garbage charges as well as reflecting a rental reduction compared to market rental for the term of the lease. Such subsidies be appropriately recognised in Council's Operational Plan and Delivery Program.
4. Lithgow and District Community Nursery to meet all Councils legal costs associated with the subject lease in accordance with Council Policy 1.1 Leases – Legal Costs.

**MOVED:** Councillor W McAndrew **SECONDED:** Councillor F Inzitari.



## AMENDMENT

### THAT:

1. Council Advise the Lithgow and District Community Nursery of its proposal to grant a lease of a 6800m<sup>2</sup> section of Lot 11 DP 1029892 known as 2A Coalbrook St Lithgow, as shown on the attached plan, subject to the following terms and conditions:
  - i. Lease term be 21 years with no transfer or assignment of the lease.
  - ii. Rent \$1
  - iii. Public Liability Insurance of \$20M, or amount as required by Council at the time of renewal of the lessee's public liability policy.
  - iv. Legal access to the site be resolved prior to finalisation of the lease
2. The lease proposal be publicly notified for a period of twenty-eight (28) days in accordance with Section 47 and 47A of the Local Government Act and any submissions received be duly considered by Council in a further report prior to finalising any lease agreement.
3. Council Subsidise water, sewer and garbage charges as well as reflecting a rental reduction compared to market rental for the term of the lease. Such subsidies be appropriately recognised in Council's Operational Plan and Delivery Program.
4. Lithgow and District Community Nursery to meet all Councils legal costs associated with the subject lease in accordance with Council Policy 1.1 Leases – Legal Costs.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor R Thompson

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

## 14-485 RESOLVED

### THAT:

1. Council Advise the Lithgow and District Community Nursery of its proposal to grant a lease of a 6800m<sup>2</sup> section of Lot 11 DP 1029892 known as 2A Coalbrook St Lithgow, as shown on the attached plan, subject to the following terms and conditions:
  - i. Lease term be 21 years with no transfer or assignment of the lease.
  - ii. Rent \$1
  - iii. Public Liability Insurance of \$20M, or amount as required by Council at the time of renewal of the lessee's public liability policy.
  - iv. Legal access to the site be resolved prior to finalisation of the lease
2. The lease proposal be publicly notified for a period of twenty-eight (28) days in accordance with Section 47 and 47A of the Local Government Act and any submissions received be duly considered by Council in a further report prior to finalising any lease agreement.
3. Council subsidise water, sewer and garbage charges as well as reflecting a rental reduction compared to market rental for the term of the lease. Such subsidies be appropriately recognised in Council's Operational Plan and Delivery Program.

4. Lithgow and District Community Nursery to meet all Councils legal costs associated with the subject lease in accordance with Council Policy 1.1 Leases – Legal Costs.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor R Thompson

**ITEM-7            ENVIRO - 15/12/14 - AUSTEN QUARRY STAGE 2 EXTENSION PROJECT (SSD 6084)**

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Item 7 was dealt with earlier.

**ITEM-8            ENVIRO - 15/12/14 - CLARENCE PIRIE PARK CROWN ROAD ACQUISITION**

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**14-486 RESOLVED**

**THAT:**

1. Council make application to Crown Lands Division NSW Trade and Investment for the acquisition of the Crown Road located in Clarence Pirie Park Capertee to allow construction of a new toilet block.
2. Authorise the affixing of the Council Seal to relevant documents.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-9            ENVIRO - 15/12/14 - SECTION 96 029/14 - MODIFICATION OF DEVELOPMENT APPLICATION 103-94DA - 'AUSTEN QUARRY TO AMEND THE FINAL FLOOR LEVEL FROM RL 730 TO RL 700 TO COMPENSATE**

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Item 9 was dealt with earlier

**ITEM-10            ENVIRO - 15/12/14 - WESTERN SECTION OF GUY STREET,  
LITHGOW - ROAD RE-NAMING**

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**14-487 RESOLVED**

**THAT** the information on the renaming of the western section of Guy Street, Lithgow be noted.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor F Inzitari.

The Motion was **PUT** and **LOST**

**ITEM-11            ENVIRO - 15/12/14 - DA167/14 - STORAGE SHED BATHURST  
STREET RYDAL**

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**MOTION**

**THAT:**

1. Development Application 167/14 be APPROVED, subject to the conditions outlined in the attached 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 W McAndrew.

**AMENDMENT**

**THAT:**

1. Development Application 167/14 be APPROVED, subject to the conditions outlined in the attached 79C report including amendments to landscaping requirements and the removal of the western veranda
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor C Hunter

The Amendment **LAPSED** due to the want for a seconder

## **14-488 RESOLVED**

### **THAT:**

1. Development Application 167/14 be APPROVED, subject to the conditions outlined in the attached 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 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 J J McGinnes  
Councillor P Pilbeam  
Councillor M Statham  
Councillor R Thompson  
Councillor M F Ticehurst

### **AGAINST**

Councillor C Hunter

**ITEM-12          ENVIRO - 15/12/14 - DA248/14 - SUBDIVISION OF 1 LOT INTO 12  
LOTS - TWEED ROAD BOWENFELS - CALLING IN OF  
APPLICATION**

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## **14-489 RESOLVED**

### **THAT:**

1. The calling in of Development Application No 248/14 be noted.
2. An onsite meeting be held

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari.

**ITEM-13          OPER - 15/12/14 - WATER REPORT**

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**14-490 RESOLVED**

**THAT** Council note the water report.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Thompson.

**ITEM-14          CORP - 15/12/14 - AUDIT PRESENTATION OF THE 2013/14  
GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL  
REPORTS**

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Item 14 was dealt with earlier

**ITEM-15          CORP - 15/12/14 - BALANCES OF COUNCIL'S RESERVES AND  
RESTRICTIONS AS AT 30 JUNE 2014**

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Item 15 was dealt with earlier

**ITEM-16          CORP - 15/12/14 - COUNCIL INVESTMENTS HELD TO 30  
NOVEMBER 2014**

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**14-491 RESOLVED**

**THAT** Investments of \$16,908,845.23 and cash of \$1,973,060.99 for the period ending 30 November be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam.

**ITEM-17          CORP - 15/12/14 - NOMINATION TO JOIN YOUTH COUNCIL**

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**14-492 RESOLVED**

**THAT** Council accept the nomination from Carol Brodie to fill the position of Youth Work Professional on Youth Council.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor F Inzitari.

**ITEM-18            CORP - 15/12/14 - BLUE MOUNTAINS CROSSING BICENTENARY - ACCESS TO MT BLAXLAND**

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**14-493 RESOLVED**

**THAT** Council write to the Hon. Troy Grant MP Minister for Trade and Investment requesting an investigation into the possibility of the resumption of a section of Cox's Road which runs through Kylie Park and resumption of access to Mt Blaxland.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor W McAndrew.

**ITEM-19            CORP - 15/12/14 - LITHGOW FLASH GIFT COMMITTEE - 13 OCTOBER 2014**

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**14-494 RESOLVED**

**THAT** Council note the minutes of the Lithgow Flash Gift Committee held on 13 October 2014.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew.

**ITEM-20            CORP - 15/12/14 - COMMUNITY DEVELOPMENT COMMITTEE MEETING - 11 NOVEMBER 2014**

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Councillor Hunter vacated the chambers at 10.53pm.

**14-495 RESOLVED**

**THAT** Council:

1. Note the minutes of the Community Development Committee meeting held 11 November 2014.
2. Makes Round 2 Financial Assistance allocations to the following projects:

<b>Organisation and Project</b>	<b>Amount Recommended</b>
<b>Lithgow Information and Neighbourhood Centre Circle of Security Parenting Program</b> 8 week parenting program for parents and carers with children 8 years and under, focusing on increasing positive	\$2,000

<b>Organisation and Project</b>	<b>Amount Recommended</b>
interactions between parents and their children.	
Lithgow Community Orchestra <b>Re-Development Project</b> Venue hire, publicity, new player coaching and composing/arranging costs to re-build the Orchestra's capacity.	\$550
Lithgow City Band <b>1915 Commemorating the ANZAC Centenary</b> To stage a major production to celebrate the Centenary of ANZAC 2015.	\$2,000
First Australian Muzzle Loading Gun Rifle Pistol Club and Lithgow Valley Archery Club <b>Rate Reimbursement</b>	\$500
Lithgow Croquet Club <b>Maintenance and expenses</b>	\$300
Lithgow Senior Citizen's Club <b>Program Costs</b> Providing social connection, activities, outings and celebrations e.g Christmas party, games and entertainment.	\$800
Lithgow PCYC <b>Make a Meal/New Kitchen</b> Youth educational project to teach young people how to prepare meals, safe food handling techniques and general life skills.	\$1,500
<b>Friends of St Johns Church Wallerawang Roof Repairs</b>	\$1,000
<b>Cullen Bullen Progress Association Rate reimbursement</b> Including waiver of Council fees and charges	\$832
<b>Capertee Valley Alliance Birdwatching Guide</b> Reprint existing Capertee Valley Map and Guide to Birdwatching which is distributed to tourist outlets, Visitor Centre, retailers etc.	\$1500

<b>Organisation and Project</b>	<b>Amount Recommended</b>
<b>Portland Development Association Portland Bandstand Memorial</b> Build a covered area in the shape of the old bandstand to be used by tourists and the public to conduct social events.	\$1,500
<b>Portland Quilters</b> Quilts are made and given to those who are ill, in hospitals and palliative care. They are also used in raffles to raise money for these facilities.	\$1,000
<b>St Johns Anglican Church Hartley Accessible Toilet</b> Provide adequate amenities to encourage regular users and visitors of the church	\$1,500
<b>Combined District Car Club</b> Inaugural Metropolitan Invitational event on 29/30 November 2014	\$1,500

3. Provide non-recurrent Financial Assistance of \$850 to Lake Wallace Sailability for repair and maintenance of sailing craft.
4. Provide an additional \$825.80 Recurrent Financial Assistance to Arts OutWest.
5. Note that the Community Development Committee will consider and recommend allocation of the remaining balance of \$7,607.20 Non-Recurrent Financial Assistance for additional projects in early 2015.
6. Note that a sign recognising David Palmer's achievements in the Glasgow Commonwealth Games will be installed in Main Street Lithgow opposite Pioneer Park.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

Councillor Hunter returned to the Chambers at 11.12pm.

**ITEM-21 OPER - 15/12/14 - TRAFFIC ADVISORY LOCAL COMMITTEE - 13 NOVEMBER 2014**

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### **14-496 RESOLVED**

**THAT** Council:

1. Note the minutes of the Traffic Advisory Local Committee held on the 13 November 2014.
2. Install a dashed centre line on the narrow section of Bent Street between Wray Lane and Silcock Street.



3. Provide signs and/or pavement marking to warn motorists not to queue across the railway crossing.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew.

**ITEM-22          ENVIRO - 15/12/14 - CRYSTAL THEATRE MANAGEMENT  
COMMITTEE MINUTES - 18 NOVEMBER 2014**

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**14-497 RESOLVED**

**THAT** Council:

1. Accept the minutes of the Crystal Theatre Management Committee held on 18 November 2014
2. Note the resignation of Jacquie Terry and accept the nomination of Sue Banning as the new Portland Art Society representative on the Crystal Theatre Management Committee.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

**ITEM-23          CORP - 15/12/14 - CRIME PREVENTION COMMITTEE MEETING - 24  
NOVEMBER 14**

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**14-498 RESOLVED**

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

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew.

Councillor Higlett vacated the chambers at 11.14pm.

**ITEM-24          ENVIRO - 15/12/14 - MEADOW FLAT HALL MANAGEMENT  
COMMITTEE MINUTES - 1 DECEMBER 2014**

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**14-499 RESOLVED**

**THAT** Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 1 December 2014.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor C Hunter.

Councillor Higlett returned to the chambers as 11.15pm.

**ITEM-25 OPER - 15/12/14 - AQUATIC CENTRE COMMITTEE MEETING  
MINUTES - 4 DECEMBER 2014**

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**14-500 RESOLVED**

**THAT** Council note the minutes of the Aquatic Centre Committee held on 4 December 2014.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor F Inzitari.

**ITEM-26 DELEGATES REPORT - 15/12/14 - CENTROC MEETING - 27  
NOVEMBER 2014**

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**14-501 RESOLVED**

**THAT** the report from the Centroc Board Meeting 27 November 2014 at Blayney be noted

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Thompson.

**ITEM-27 NOTICE OF MOTION - 15/12/14 - GREAT WESTERN HIGHWAY  
TRAFFIC SAFETY CONCERNS THROUGH LITHGOW -  
COUNCILLOR W MCANDREW**

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**14-502 RESOLVED**

**THAT** Council:

1. Immediately engage the RMS to discuss the installation of traffic lights and/or the construction of roundabouts, whichever is the most appropriate at the Kirkley Street, Col Drew Drive, Rabaul Street and Girraween Drive intersections.
2. Investigate alternate access in and out of Oakey Forest Road, Marrangaroo
3. Lobby for the Great Western Highway to be upgraded from Katoomba to Bathurst as a high priority.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari.

**ITEM-28 NOTICE OF MOTION - 15/12/14 - ASIC NOTICE OF VOLUNTARY LIQUIDATION OF COALPAC GROUP OF COMPANIES - COUNCILLOR M TICEHURST**

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**14-503 RESOLVED**

**THAT** following the recent ASIC notification of the voluntary liquidation of the Coalpac group of companies which previously operated Open Cut Coal Mines surrounding the Village of Cullen Bullen, could the General Manager and/or Senior Council Officers provide a verbal report to this Ordinary Meeting of Council if the Lithgow City Council was a Creditor (Council Rates, Fees) for any of the Coalpac group of companies?

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J McGinnes.

**ITEM-29 NOTICE OF MOTION - 15/12/14 - SUPREME COURT JUDGEMENT MILLER V LITHGOW CITY COUNCIL - COUNCILLOR M TICEHURST**

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**14-504 RESOLVED**

**THAT** Council acknowledge the recent NSW Supreme Court judgement on the issue of liability only in the matter of Miller v Lithgow City Council & Anor.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes.

## **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-30            MAYORAL MINUTE - CONFIDENTIAL - CLOSED COUNCIL - 15/12/14  
- PERFORMANCE REVIEW OF THE GENERAL MANAGER**

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**14-505 RESOLVED**

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

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam.

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

There were NIL objections.

**14-506 RESOLVED**

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

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari

At 11.37pm the Council resolved to move into Closed Council.

Closed Council started at 11.38pm.

**14-507 RESOLVED**

**THAT** all staff be requested to leave the chambers for this matter with the exception of the Group Manager Operations who would assist with the minutes and meeting procedures.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor F Inzitari.

All staff with the exception of the Group Manager Operations left the Chambers at 11.39pm.

**14-508 RESOLVED**

**THAT** Council:

1. Note the General Manager's performance for the 2013/14 period as 'Exceeds Expectations'
2. Increase the General Managers remuneration package by 2.5% to \$241,285.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

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

**Division -**

**FOR**

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

**AGAINST**

Councillor M F Ticehurst  
Councillor J McGinnes

**14-509 RESOLVED**

**THAT** Council refer to Open Council (11.42pm)

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

The Group Manager Operations announced the recommendation of the Closed Council.

There being no further business the meeting concluded at 11.45pm.