



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

23 MARCH 2015

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 23 MARCH 2015**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 33

PRESENT

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

APOLOGIES

An apology was received from Councillor F Inzitari who is out of the City on personal business.

An apology was received from Councillor R Higlett who is out of the City on personal business.

The apologies were noted.

MOVED: Councillor McAndrew

SECONDED: Councillor Pilbeam

Also in attendance

Mr Roger Bailey, General Manager
Mrs Gerda Stewart, Minutes Secretary
Mr Andrew Muir, Group Manager Environment and Development
Mrs Juli-Ann Brozek, Group Manager Corporate and Community

CONFIRMATION OF MINUTES

RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 2 March 2015 were taken as read and confirmed by Councillors P Pilbeam and R Thompson

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

Division -

FOR

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

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

DECLARATION OF INTEREST

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

Councillor R Thompson declared a less than significant Non Pecuniary interest in Item 6, due to him residing in the Marrangaroo Estate. He will not vacate the Chambers.

Councillor W McAndrew declared a less than significant Non Pecuniary interest in Item 6, due to him residing in the Marrangaroo Estate. He will not vacate the Chambers.

Councillor M F Ticehurst declared a Pecuniary conflict of interest in Item 3, due to his son being formerly an employee of the Angus Place Mine and now since transferred to the Springvale Mine. He will vacate the Chambers.

RESOLVED

THAT Council note the Declarations of Interest

MOVED: Councillor Thompson

SECONDED: Councillor Pilbeam

QUESTIONS FROM THE PUBLIC

At 7.03pm Members of public gallery were invited to participate in the Public Forum Session.

PF - MR GARY HOY

Mr Hoy spoke in regard to Item 6 on the Agenda.

Group Manager Environment & Development responded.

The Mayor thanked Mr Hoy for his comments.

PF - MR PETER EVANS

Mr Evans spoke in regard to Item 13 on the Agenda.

The Mayor thanked Mr Evans for his comments.

PF - MS CHRISTIE HOULISON

Ms Wilson spoke in regard to Item 13 on the Agenda.

The Mayor thanked Ms Wilson for her comments.

PF - MRS TANYA SLAVEN

Mrs Slaven spoke in regard to Item 13 on the Agenda.

The Mayor thanked Mrs Slaven for her comments.

PF - MRS CASSIE HARVISON

Mrs Harvison spoke in regard to Item 13 on the Agenda.

The Mayor thanked Mrs Harvison for her comments.

PF - MS JACQUIE REID

Ms Reid spoke in regard to Item 13 on the Agenda.

The Mayor thanked Ms Reid for her comments.

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PROCEDURAL MOTION

15-53 RESOLVED

THAT Item 13 be brought forward and dealt with at this point of the meeting.

MOVED: Councillor McAndrew

SECONDED: P Pilbeam

ITEM-13 OPER - 23/03/15 - AQUATIC CENTRE COMMITTEE MEETING MINUTES - 3 MARCH 2015

15-54 RESOLVED

THAT:

1. Council note the minutes of the Aquatic Centre Committee held on 3 March 2015.
2. Introduce the following interim fees for the winter 2015 swimming season;

Casual Visits	
Child under 5 Years	Free
Child 5 - 16 Years	\$3.50
Concession	\$3.50
Adult	\$5.50
Over 75's	Free
Season Pass (Valid 6 months)	
Child 5-16 Years	\$150
Concession	\$150
Adult	\$200
Family	\$350
10 Visit Pass	
Child 5-16 Years	\$31.50
Concession	\$31.50
Adult	\$49.50

3. Introduce initially the following hours of operation for the new indoor pool (subject to review):

Monday to Friday	6am to 11am, 1pm to 7pm
Weekends	8am to 4pm

4. Call a meeting of the Aquatic Centre Committee and councillors with a view to reviewing the position of Learn to Swim and Aqua Aerobics fees and charges, and hours of operation. Prior to the meeting Council seek submissions/presentations from operators.

MOVED: Councillor P Pilbeam

SECONDED: Councillor R Thompson.

ITEM-1 ENVIRO - 23/03/15 - WALLERAWANG POULTRY FARM UPDATE

15-55 RESOLVED

THAT the information regarding complaints received and Council actions for the Wallerawang Poultry Farm for the period over the 17 February 2015 to 10 March 2015 be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor C Hunter.

ITEM-2 ENVIRO - 23/03/15 - WORKMEN'S CLUB VOLUNTARY PLANNING AGREEMENT

15-56 RESOLVED

THAT Council ENDORSE the modified Voluntary Planning Agreement in relation to the Lithgow Workmen's Club.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

Councillor Ticehurst vacated the Chambers at 7.44pm

ITEM-3 ENVIRO - 23/03/15 - ANGUS PLACE- COMMUNITY ENHANCEMENT FUND

15-57 RESOLVED

THAT Council note the Angus Place Community Consultative Committee recommendation to allocate \$30,000 from the Angus Place Colliery Community Enhancement Fund to 'The Friends of St John' to help to replace and/or restore the roof St John's Church, Wallerawang.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

Councillor Ticehurst returned to the Chambers at 7.45pm

ITEM-4 ENVIRO - 23/03/15 - DEVELOPMENT APPLICATION DA143-13-SUBDIVISION OF 1 LOT INTO 3, 90 OAKY FOREST ROAD MARRANGAROO

15-58 RESOLVED

THAT

1. Development Application 143/13 be **SUPPORTED** by Council subject to the conditions outlined in the attached 79C report.
2. The proposed DA143/13 and associated reports be referred to the Department of Planning for consideration and determination by the Director-General.
3. Development consent be granted upon the concurrence being granted by the Department of Planning & Environment.
4. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor P Pilbeam

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

AGAINST

Nil

**ITEM-5 ENVIRO - 23/03/15 - LITHGOW LOCAL HERITAGE ADVISORY
COMMITTEE MINUTES - 10 FEBRUARY 2015**

15-59 RESOLVED

THAT Council:

1. Note the minutes of the Lithgow Local Heritage Advisory Committee held on the 10 February 2015.
2. Amend the adopted Lithgow Local Heritage Advisory Committee Adopted Terms of Reference as follows:
 - a) **Item 3 of the Committee's Responsibilities** "To liaise with local communities and businesses in organising Heritage Week events" be DELETED.
 - b) **Frequency of Meetings** be amended to state:
"Meetings shall be held Bi Monthly on the Second Tuesday of the Month at 4pm in the Hartley Building". This meeting frequency to be reviewed in six months time (September 2015) and then reviewed annually noting that the Chair can call extraordinary meetings at any time as required.

MOVED: Councillor P Pilbeam

SECONDED: Councillor C Hunter.

**ITEM-6 ENVIRO - 23/03/15 - S96043-14 - MODIFICATION OF DEVELOPMENT
APPLICATION 090-95DA MARRANGAROO QUARTZITE QUARRY**

15-60 RESOLVED

THAT:

1. Section 96 Modification of Consent S96043/14 for Development Application 090/95 be APPROVED, subject to the conditions outlined in the attached 79C report with the following amendment:
 - Condition 30 – "The applicant shall make a contribution of \$8,000 (plus GST) per annum, to be adjusted annually in accordance with CPI (All Groups Index for Sydney published by the Australian Bureau of Statistics) toward the ongoing maintenance of Oakey Forest Road. This contribution shall be paid prior to 30 June at the end of each financial year. The payment for the 2014/2015 financial year shall be \$8,000 (plus GST) and the first CPI adjusted payment shall be for the 2015/2016 Financial year."
 - Condition 27 – The following be added:
"Annual rehabilitation monitoring to occur including photographic monitoring."
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor P Pilbeam

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

AGAINST

Nil

**ITEM-7 OPER - 23/03/15 - TENDERS FOR WATER MAIN RELINING
LITHGOW**

15-61 RESOLVED

THAT Council:

1. Not accept any tenders for TEN 01/15
2. Cancel the proposal for contract as per Clause 178 of the Local Government (General) Regulation 2005 Clause 178 (3) (A).

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-8 OPER - 23/03/15 - WATER REPORT

15-62 RESOLVED

THAT Council note the water report.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

**ITEM-9 CORP - 23/03/15 - COUNCIL INVESTMENTS HELD TO 28
 FEBRUARY 2015**

15-63 RESOLVED

THAT Investments of \$20,424,377.31 and cash of \$1,466,567.66 for the period ending 28 February be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

**ITEM-10 CORP - 23/03/15 - DISABILITY ACCESS COMMITTEE MINUTES - 4
 FEBRUARY 2015**

15-64 RESOLVED

THAT

1. Council note the minutes of the Disability Access Committee meeting held 4 February 2015.
2. The Terms of Reference of the Disability Access Committee be amended to allow for a minimum of two (2) meetings per year.
3. The Terms of Reference of the Disability Access Committee be amended to include the review and monitoring of the implementation of the Disability Access Plan and to assist in the development of the Disability Inclusion Action Plan as required by the NSW Disability Inclusion Act.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

**ITEM-11 CORP - 23/03/15 - TOURISM ADVISORY COMMITTEE MEETING - 17
 FEBRUARY 2015**

15-65 RESOLVED

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 17 February 2015.
2. Note the new billboards have been installed and endorse Concept 1 for the town entry signage.

MOVED: Councillor P Pilbeam

SECONDED: Councillor R Thompson.

A **DIVISION** was called by Councillors M Ticehurst and C Hunter

Division -

FOR

Councillor W McAndrew

Councillor P Pilbeam

Councillor M Statham

Councillor R Thompson

AGAINST

Councillor M F Ticehurst

Councillor C Hunter

Councillor J J McGinnes

**ITEM-12 ENVIRO - 23/03/15 - RURAL LANDS STUDY PROJECT STEERING
COMMITTEE MINUTES 17 FEBRUARY 2015**

15-66 RESOLVED

THAT Council note the minutes of the Rural Lands Study Project Steering Committee Meeting held on 17 February 2015.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

**ITEM-13 OPER - 23/03/15 - AQUATIC CENTRE COMMITTEE MEETING
MINUTES - 3 MARCH 2015**

Item 13 was dealt with earlier.

**ITEM-14 CORP - 23/03/15 - BLUE MOUNTAINS CROSSING BICENTENARY
COMMITTEE - 4 MARCH 2015**

15-67 RESOLVED

THAT Council:

1. Note the minutes of the Blue Mountains Crossing Committee meeting held 4 March 2015.
2. Approve the allocation of funds to Blue Mountains Crossing projects as follows:
 - \$1,000 - Installation of the Hartley Date Signs
 - \$2,000 - Hartley District Progress Association for the Macquarie Event
 - \$1,000 - Restoration of the 1937 Glenroy Cairn (First Devine Service)
3. Approve that the allocation of the remaining \$1,000 funds be reconsidered by the Committee at its next meeting.

MOVED: Councillor C Hunter

SECONDED: Councillor R Thompson.

**ITEM-15 ENVIRO - 23/03/15 - MEADOW FLAT HALL MANAGEMENT
COMMITTEE MINUTES - 5 MARCH 2015**

15-68 RESOLVED

THAT Council:

1. Note the minutes of the Meadow Flat Hall Management Committee Meeting held on 5 March 2015.
2. Propose the following fees for Meadow Flat Hall in the 2015/16 Operational Plan:
 - Refundable deposit fee - \$150.00
 - Community functions - \$75.00
 - Community meetings - \$10.00
 - Commercial hire - \$150.00

MOVED: Councillor Hunter

SECONDED: Councillor Ticehurst

ITEM-16 OPER - 23/03/15 - OPERATIONS COMMITTEE MEETING - 5 MARCH 2015

15-69 RESOLVED

THAT Council:

1. Note the minutes of the Operations Committee held on 5 March 2015
2. Investigate all of the issues in relation to the public road over Mt Sandy, Kanimbla Valley

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

ITEM-17 DELEGATES REPORT - 23/03/15 - CENTROC MEETING - 26 FEBRUARY 2015

15-70 RESOLVED

THAT the Mayoral Report from the Centroc Board Meeting 26 February 2015 at Boorowa be noted.

MOVED: Councillor P Pilbeam

SECONDED: Councillor W McAndrew.

ITEM-18 NOTICE OF RESCISSION MOTION - 23/03/15 - ROAD RENAMING GUY STREET LITHGOW NSW

15-71 RESOLVED

THAT:

1. Council rescind part 2 of Resolution 14-236, i.e:
Council re-name the western end of Guy Street, Lithgow to 'Crowle Street' by Government Gazettal on this road and advise Emergency Services and land owners of this road name.
2. The name of Guy Street remain unchanged.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

ITEM-19 NOTICE OF MOTION - 23/03/15 - DEPARTMENT OF LOCAL GOVERNMENT LETTER DATED 13 MARCH 2008 - COUNCILLOR M TICEHURST

MOTION

THAT Council note the attached Department of Local Government letter to the General Manager of Shellharbour City Council dated 13 March 2008 with respect to alleged acts of disorder at Council Meetings.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

On being PUT the MOTION was **LOST**

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

Division -

FOR

Councillor M F Ticehurst
Councillor J J McGinnes

AGAINST

Councillor C Hunter
Councillor W McAndrew
Councillor P Pilbeam
Councillor M Statham
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.*

There being no further business the Meeting concluded at 8.44pm.