



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

20 APRIL 2015

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 20 APRIL 2015**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 26

PRESENT

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

APOLOGIES

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

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
Mr Iain Stewart, Group Manager Operations

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 23 March 2015 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 R Thompson declared a Non Pecuniary in Item 2, due to him being a committee member of the Inglenook Consultative Committee. He will not vacate the Chambers.

15-72 RESOLVED

THAT Council note the Declarations of Interest

MOVED: Councillor Pilbeam

SECONDED: Councillor Inzitari

PUBLIC FORUM

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

PF - JOHN COLQUHOUN-THOMPSON

Mr Colquhoun-Thompson spoke in regard to Item 3 on the Agenda.

The Mayor thanked Mr Colquhoun-Thompson for his comments.

PF - LORRAINE ROEBUCK

Ms Roebuck spoke in regard to Item 12 on the Agenda.

The Mayor thanked Mrs Roebuck for her comments.

PF - BRIAN HEALEY

Mr Healey spoke in regard to Item 3 on the Agenda.

The Mayor thanked Mr Healey for this comments.

PF - VELMA MCFADDEN

Mrs McFadden spoke in regard to Item 17 on the Agenda.

The Mayor thanked Mrs McFadden for her comments.

PF - DIANA RAWLINSON

Mrs Rawlinson spoke in regard to Item 17 on the Agenda.

The Mayor thanked Mrs Rawlinson for her comments.

PF - PETER EVANS

Mr Evans spoke in regard to Item 17 and Item 12 on the Agenda.

The Mayor thanked Mr Evans for his comments.

PF - RENEE DIFRANCO

Mrs DiFranco spoke in regard to Item 12 on the Agenda.

The Mayor thanked Mrs DiFranco for her comments.

PF - RON MURRAY

Mr Murray spoke in regard to Item 11 and Item 12 on the Agenda.

Group Manager Operations answered the question in regard to alleged water supply quality.

The Mayor thanked Mr Murray for his comments.

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PROCEDURAL MOTION

THAT Item 15 be brought forward and dealt with at this point in the meeting.

MOVED: Councillor M Ticehurst

On being PUT the PROCEDURAL MOTION was **CARRIED**

ITEM-15 GM - 20/04/15 - LITHGOW CBD REVITALISATION ACTION PLAN STEERING COMMITTEE - 19/03/15

15-73 RESOLVED

THAT Council:

1. Notes the minutes of the Lithgow CBD Revitalisation Action Plan Steering Committee held on the 19 March 2015.
2. Hold an in-house Councillor Information Session on the proposal.
3. Following the information session, approves that the draft Lithgow CBD Revitalisation Action Plan be placed on public exhibition for a period of 3 weeks.
4. Notes the Application made to the Stronger Regions Program.
5. Notes the progress being made with the installation of new public toilets in the CBD.
6. Supports the creation of the Pioneer Park Urban Community Garden in principle subject to further investigations and consultations with key stakeholders.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

ITEM-1 GM - 20/04/15 - NATIONAL STRONGER REGIONS FUND APPLICATION

15-74 RESOLVED

THAT Council:

1. Note that Round Two of the National Stronger Regions Fund will open on 1 May 2015
2. Select a preferred application at a future meeting of Council
3. Encourage eligible incorporated not-for-profit organisations to submit proposals for endorsement by Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

ITEM-2 GM - 20/04/15 - COUNCILLOR MCGINNES FAILURE TO ATTEND COMMITTEE MEETINGS

PROCEDURAL MOTION

THAT the item lie on the table.

MOVED: Councillor M F Ticehurst

The Motion was PUT and was **LOST**

MOTION

THAT Council:

1. Note that Clr McGinnes has not attended the required number of meetings of the Community Development Committee or provided apologies to the Committee
2. Note that Clr McGinnes has not attended the required number of meetings of the Disability Access Committee or provided apologies to the Committee
3. Note that Clr McGinnes has not attended the required number of meetings of the Union Theatre Committee or provided apologies to the Committee
4. Confirm that Clr McGinnes is now no longer a member of the Community Development Committee, Disability Access Committee and Union Theatre Committee
5. Appoint a Councillor representative to each of the following committees:
 - Community Development Committee;
 - Disability Access Committee; and
 - Union Theatre Committee.

MOVED: Councillor P Pilbeam

SECONDED: Councillor F Inzitari.

Councillor McGinnes committed to attending Committee meetings in the future.

On being PUT the MOTION was **LOST**.

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

Division – Unanimous

FOR
NIL

AGAINST –

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-3 ENVIRO - 20/04/15 - DA248/14 PROPOSED SUBDIVISION 1 LOT
 INTO 12, TWEED ROAD LITHGOW NSW 2790**

15-75 RESOLVED

THAT:

1. The General Manager be authorised to REFUSE Development Application DA248/14 if the requested information is not received by 1 May 2015, or if the information is considered inadequate.
2. 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 R Thompson.

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

AGAINST

NIL

ITEM-4 ENVIRO - 20/04/15 - WALLERAWANG POULTRY FARM UPDATE

15-76 RESOLVED

THAT the information regarding complaints received and Council actions for the Wallerawang Poultry Farm for the period over the 10 March 2015 to 7 April 2015 be noted.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson.

ITEM-5 **ENVIRO - 20/04/15 - CALLING IN OF DEVELOPMENT APPLICATION
DA228/14 - PROPOSED SUBDIVISION - 5 LOTS INTO 25 - Lot 5 DP
136719 - EURELLA - 602 UPPER NILE ROAD GLEN ALICE NSW
2849**

15-77 RESOLVED

THAT the calling in of Development Application No 228/14 be noted.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

ITEM-6 **ENVIRO - 20/04/15 - DA033/15 PROPOSED TWO ILLUMINATED
SIGNS - BRIDGE STREET LITHGOW NSW 2790**

15-78 RESOLVED

THAT:

1. The Development Application DA033/15 be APPROVED subject to conditions on the consent.
2. A **DIVISION** be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

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

AGAINST

NIL

**ITEM-7 ENVIRO - 20/04/15 - DA184/14 - 2 INTO 3 LOT SUBDIVISION AT
COOLAMI - GENOWLAN RD GLEN ALICE - AGRICULTURAL
CLASSIFICATION**

15-79 RESOLVED

THAT:

1. Council resolve that Lot 3 DP 860674 and Lot 9 DP 869406 is NOT prime crop or pasture land for the purposes of the Rylstone Local Environmental Plan 1996.
2. 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.

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

AGAINST

Nil

**ITEM-8 ENVIRO - 20/04/15 - DEVELOPMENT APPLICATION - DA039/15
INSTALLATION OF TOILET BLOCK CLARENCE PIRIE PARK
CAPERTEE**

15-80 RESOLVED

THAT

1. Development Application 039/15DA be APPROVED subject to conditions specified in the attached Section 79C assessment.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor R Thompson

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

AGAINST

NIL

**ITEM-9 ENVIRO - 20/04/15 - DEVELOPMENT APPLICATION - DA039/15
 INSTALLATION OF TOILET BLOCK CLARENCE PIRIE PARK
 CAPERTEE**

15-81 RESOLVED

THAT:

1. Development Application 039/15DA be APPROVED subject to conditions specified in the attached Section 79C assessment.
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.

**ITEM-10 ENVIRO - 20/04/15 - PROPOSED RE-NAMING OF PARK AVENUE
 AND-OR PARK STREET PORTLAND**

15-82 RESOLVED

THAT NO further action be undertaken to re-name Park Street or Park Avenue, Portland.

MOVED: Councillor P Pilbeam

SECONDED: Councillor W McAndrew.

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

Division -

FOR

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

AGAINST

Councillor M Ticehurst
Councillor J McGinnes

MATTER ARISING

15-83 RESOLVED:

THAT the Community Development Committee investigate the possibility of re-naming a facility or road in the Portland area in honour of Mr Charlie Pinch.

MOVED: Councillor M Ticehurst

SECONDED: Councillor J McGinnes

ITEM-11 OPER - 20/04/15 - WATER REPORT

15-84 RESOLVED

THAT Council note the water report.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

PROCEDURAL MOTION

THAT Item 14 and Item 17 be brought forward and dealt with at this point in the meeting.

MOVED: Councillor M Ticehurst

On being PUT the PROCEDURAL MOTION was **CARRIED**.

**ITEM-14 ENVIRO - 20/04/15 - UNION THEATRE MANAGEMENT COMMITTEE
MINUTES - 12 MARCH 2015**

15-85 RESOLVED

THAT Council:

1. Note the minutes of the Union Theatre Management Committee Meeting held on 12 March 2015.
2. Consider the Committee's fee schedule in the Draft 2015/16 Fees and Charges.

MOVED: Councillor C Hunter

SECONDED: Councillor M F Ticehurst.

**ITEM-17 OPER - 20/04/15 - AQUATIC CENTRE COMMITTEE MEETING
MINUTES - 30 MARCH 2015**

MOTION

THAT Council:

1. Note the Minutes of the Aquatic Centre Committee held on 30 March 2015.
2. Make a maximum of one lane available for private swimming operators; and
3. Operates the facility for the following hours:

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

4. Consider the Committee's fee recommended in the Draft 2015/16 Fees and Charges:
 - i) Charge private swimming operators in minimums of 30 minute slots and that these be \$20 for each 30 minutes.
 - ii) Applies the following fee structure for its aquarobics classes:
 - \$350 season pass for aqua aerobics
 - \$10 per session plus casual entry
 - iii) Applies the following charges for learn to swim:

- a)

Learn to Swim (30 minute lessons once per week, 10 week term payable up front)	
First Child	\$140 per term
Second Child	\$130 per term
Additional Child	\$120 per term

- b) Supervising parents (non-swimming) – free.

MOVED: Councillor R Thompson

SECONDED: Councillor F Inzitari.

AMENDMENT

THAT Council:

1. Note the Minutes of the Aquatic Centre Committee held on 30 March 2015.
2. Make a maximum of one lane available for private swimming operators; and
3. Operates the facility for the following hours:

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

4. Consider the Committee's fee recommended in the Draft 2015/16 Fees and Charges:
 - i) Charge private swimming operators in minimums of 30 minute slots and that these be \$20 for each 30 minutes.
 - ii) Applies the following fee structure for its aquarobics classes:
 - \$350 season pass for aqua aerobics
 - \$10 per session plus casual entry
 - iii) Applies the following charges for learn to swim:

a)	Learn to Swim (30 minute lessons once per week, 10 week term payable up front)	
	First Child	\$140 per term
	Second Child	\$130 per term
	Additional Child	\$120 per term

- b) Supervising parents (non-swimming) – free.
- c) Children under 12 years of age participating in the Council Learn to Swim program not be charged the entrance fee for their lessons.

MOVED: Councillor Inzitari

SECONDED: Councillor Ticehurst

The AMENDMENT was PUT and **LOST**

FURTHER AMENDMENT

THAT Council:

1. Note the Minutes of the Aquatic Centre Committee held on 30 March 2015.
2. Make a maximum of one lane available for private swimming operators; and
3. Operates the facility for the following hours:

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

4. Consider the Committee's fee recommended in the Draft 2015/16 Fees and Charges:

- i) Charge private swimming operators in minimums of 30 minute slots and that these be \$20 for each 30 minutes.
- ii) Applies the following fee structure for its aquarobics classes:
 - \$350 season pass for aqua aerobics
 - \$10 per session plus casual entry
- iii) Applies the following charges for learn to swim:
 - a)

Learn to Swim (30 minute lessons once per week, 10 week term payable up front)	
First Child	\$140 per term
Second Child	\$130 per term
Additional Child	\$120 per term
 - b) Supervising parents (non-swimming) – free.
 - c) Children under 12 years of age participating in any Learn to Swim program not be charged the entrance fee for their lessons.

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

15-86 RESOLVED

THAT Council:

1. Note the Minutes of the Aquatic Centre Committee held on 30 March 2015.
2. Make a maximum of one lane available for private swimming operators; and
3. Operates the facility for the following hours:

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

4. Consider the Committee's fee recommended in the Draft 2015/16 Fees and Charges:
 - i) Charge private swimming operators in minimums of 30 minute slots and that these be \$20 for each 30 minutes.
 - ii) Applies the following fee structure for its aquarobics classes:
 - \$350 season pass for aqua aerobics
 - \$10 per session plus casual entry
 - iii) Applies the following charges for learn to swim:
 - a)

Learn to Swim (30 minute lessons once per week, 10 week term payable up front)	
First Child	\$140 per term
Second Child	\$130 per term
Additional Child	\$120 per term
 - b) Supervising parents (non-swimming) – free.
 - c) Children under 12 years of age participating in any Learn to Swim program not be charged the entrance fee for their lessons.

**ITEM-12 CORP - 20/04/15 - COMBINED DELIVERY PROGRAM 2013-2017 &
DRAFT OPERATIONAL PLAN 2015-2016**

MOTION

THAT:

1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2015-2016 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2015/16.
 - b. Draft Fees and Charges 2015/16 with the Draft Fees and Charges document updated for the Union Theatre, Meadow Flat Hall and Crystal Theatre to the committees' requested 2015/2016 fee.
2. The closing date for submissions is Friday 22 May 2015.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

AMENDMENT

THAT:

1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2015-2016 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2015/16.
 - b. Draft Fees and Charges 2015/16 with the following changes:
 - i) The Draft Fees and Charges document be updated for the Union Theatre, Meadow Flat Hall and Crystal Theatre to the committees' requested 2015/2016 fee.
 - ii) That the Tier 2 for water charges commence at 350kL.
2. The closing date for submissions is Friday 22 May 2015.

MOVED: Councillor Inzitari

SECONDED: Councillor McAndrew

The Amendment was PUT and was **LOST**

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

Division -

FOR

Councillor McAndrew
Councillor Inzitari

AGAINST

Councillor C Hunter
Councillor J J McGinnes
Councillor P Pilbeam
Councillor M Statham
Councillor R Thompson

Councillor M F Ticehurst

15-87 RESOLVED

THAT:

1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2015-2016 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2015/16.
 - b. Draft Fees and Charges 2015/16 with the Draft Fees and Charges document updated for the Union Theatre, Meadow Flat Hall and Crystal Theatre to the committees' requested 2015/2016 fee.
2. The closing date for submissions is Friday 22 May 2015.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

ITEM-13 CORP - 20/04/15 - COUNCIL INVESTMENTS HELD TO 31 MARCH 2015

15-88 RESOLVED

THAT Investments of \$19,195,613.52 and cash of \$1,932,030.45 for the period ending 31 March be noted.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

ITEM-14 ENVIRO - 20/04/15 - UNION THEATRE MANAGEMENT COMMITTEE MINUTES - 12 MARCH 2015

This matter was dealt with earlier.

ITEM-15 GM - 20/04/15 - LITHGOW CBD REVITALISATION ACTION PLAN STEERING COMMITTEE - 19/03/15

This matter was dealt with earlier.

ITEM-16 CORP - 20/04/15 - YOUTH COUNCIL MINUTES 20 MARCH 2015

15-89 RESOLVED

THAT Council:

1. Notes the minutes from the Youth Council meeting held 24 March 2015.
2. Appoints Zachary Palmer, Jamaica Enoke, Benjawan Bansuntiah, Lara McNair and Thomas Bond to Youth Council.
3. Amends the Youth Council Terms of Reference to establish a quorum of six (6) voting members.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

**ITEM-17 OPER - 20/04/15 - AQUATIC CENTRE COMMITTEE MEETING
MINUTES - 30 MARCH 2015**

This matter was dealt with earlier.

**ITEM-18 OPER - 20/04/15 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 31 MARCH 2015**

15-90 RESOLVED

THAT Council:

1. Note the minutes of the Sports Advisory Committee held on 27 January 2015;
2. Accepts Ms Cindy Walker & Ms Alma Magus as the Sports Advisory Committee representatives from the Lithgow Croquet Club.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

**ITEM-19 OPER - 20/04/15 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 27 JANUARY 2015**

15-91 RESOLVED

THAT Council note the minutes of the Sports Advisory Committee held on 27 January 2015.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Thompson

**ITEM-20 CORP - 20/04/15 - COMMUNITY DEVELOPMENT COMMITTEE
MINUTES - 31 MARCH 2015**

15-92 RESOLVED

THAT Council:

1. Notes the minutes of the Community Development Committee meeting held 31 March 2015.
2. Does not pursue formal Sister City relationships with other cities but instead consider any individual requests for events and visits as they arise.

MOVED: Councillor R Thompson

SECONDED: Councillor P Pilbeam.

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 9.35pm.