



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

29 JUNE 2015

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 29 JUNE 2015**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 26

**PRESENT**

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

**APOLOGIES**

**15-141 RESOLVED**

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

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Higlett

**Also in attendance**

Mr Roger Bailey, General Manager  
Mrs Rhiannan Whiteley, 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**

**15-142 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 1 June 2015 were taken as read and confirmed by Councillors F Inzitari and R Higlett

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

**Division -**

**FOR**

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

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## **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 C Hunter declared a less than significant non pecuniary interest in item 12, due to him being a member of three of the committee's including National Trust, Rydal AHP and Rydal Village Association. He will not vacate the Chambers.

## **QUESTIONS FROM THE PUBLIC**

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

### **PF - 29/6/15 - MRS GLENDA ANTHES**

Mrs Anthes thanked Councillors Statham and Inzitari for recently attending the South Bowenfels Bushfire Brigade Annual General Meeting.

*The Mayor thanked Mrs Anthes for her comments.*

### **PF - 29/6/15 - MR MICHAEL INZITARI**

Mr Inzitari made a statement in relation to Item 2 of the Agenda

## **PROCEDURAL MOTION**

**THAT** an extension of time be granted

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

*The Mayor thanked Mr Inzitari for his comments.*

### **PF - 29/6/15 - MR DAVID PETERS**

Mr Peters made a statement in relation to Item 12 of the Agenda

*The Mayor thanked Mr Peters for his comments.*

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**PF - 29/6/15 - MRS LORRAINE RYAN**

Mrs Ryan made a statement in relation to Item 18 of the Agenda

**PROCEDURAL MOTION**

**THAT** an extension of time be granted

**MOVED:** Councillor Ticehurst

**SECONDED:** Councillor W McAndrew

*The Mayor thanked Mrs Ryan for her comments.*

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## **PROCEDURAL MOTION**

**THAT** Item 18 be moved forward and considered at this point in the meeting

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor J McGinnes

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### **ITEM-18 NOTICE OF MOTION - 29/06/15 - PUBLIC RECOGNITION OF LITHGOWITES WHO SERVED AND DIED DURING WW2 AND THE KOREAN WAR - CLR M TICEHURST**

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#### **15-143 RESOLVED**

**THAT** Council:

1. Publicly and formally acknowledge the outstanding voluntary work undertaken by Mrs Lorraine Ryan, Janice Marshall and Howard Fisher towards the naming of all those known from the Lithgow District who served and lost their lives during World War 2 and the Korean War
2. Congratulate Mrs Lorraine Ryan, Janice Marshall, Howard Fisher and the Membership of the Lithgow RSL Sub-branch on establishing a suitable monument of all those known from the Lithgow District who served and lost their lives during World War 2 and the Korean War, at the present Lithgow War Memorial in Queen Elizabeth Park.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor W McAndrew.

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### **ITEM-1 GM - 29/06/15 - CODE OF CONDUCT APOLOGY BY CLR MCGINNES**

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#### **15-144 RESOLVED**

**THAT** Council now provide Councillor Joe McGinnes the opportunity to apologise in accordance with resolution 15-139.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari.

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

**Division -**

#### **FOR**

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

#### **AGAINST**

Councillor C Hunter

Councillor J J McGinnes  
Councillor M F Ticehurst

The General Manager offered Councillor McGinnes the opportunity.

Councillor McGinnes did not respond.

The General Manager advised the meeting that it would be recorded in the minutes that Councillor McGinnes did not respond.

**ITEM-2            GM - 29/06/15 - LOCAL GOVERNMENT REFORM - FIT FOR THE FUTURE**

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**MOTION**

**THAT** Council adopt the draft submission on Fit for the Future.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam

Councillor Ticehurst made inappropriate comments towards the General Manager.

The Mayor gave Councillor Ticehurst a warning and again asked him to apologise for comments made against the General Manager.

Councillor Ticehurst continued to address the Council.

The Mayor once again asked Councillor Ticehurst to withdraw and apologise for his comments.

Councillor Ticehurst again refused.

The Mayor once again asked Councillor Ticehurst to withdraw his comments or vacate the chambers (7.38pm).

Councillor Ticehurst again refused and advised that he will not be leaving.

The Mayor asked Councillor Ticehurst to withdraw his comments, Councillor Ticehurst continued to interrupt the Mayor and address the Council.

Councillor McGinnes and Councillor Ticehurst continued to interrupt the General Manager and Mayor.

The Mayor repeatedly requested they cease interrupting and respect the Chair.

Councillor Ticehurst continued to interject.

The Mayor gave both Councillors repeated warnings.

A final warning was issued to Councillor McGinnes.



## 15-145 RESOLVED

**THAT** Council adopt the draft submission on Fit for the Future.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam.

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

**Division -**

### **FOR**

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

### **AGAINST**

Councillor M F Ticehurst  
Councillor J J McGinnes

**ITEM-3            ENVIRO - 29/06/15 - DEVELOPMENT APPLICATION 008/11DA  
MODIFICATION OF CONSENT FOR TWO ADDITIONAL  
REFRESHMENT ROOMS - HUNGRY JACKS RESTAURANT**

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## 15-146 RESOLVED

### **THAT:**

1. Section 96 Modification of consent no. S96037/14 for 008/11DA being Hungry Jack's restaurant development be **APPROVED**, subject to the conditions outlined in the attached Section 79C report.
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 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 R Higlett  
Councillor C Hunter  
Councillor F Inzitari  
Councillor W McAndrew  
Councillor J J McGinnes

Councillor P Pilbeam  
Councillor M Statham  
Councillor M F Ticehurst

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**ITEM-4            ENVIRO - 29/06/15 - DEVELOPMENT APPROVALS PROCESS**

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**15-147 RESOLVED**

**THAT** the information contained in the report on the development application process be noted.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew.

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**ITEM-5            ENVIRO - 29/06/15 - WALLERAWANG POULTRY FARM UPDATE**

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**15-148 RESOLVED**

**THAT** the information regarding odour surveys and Council actions for the Wallerawang Poultry Farm be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor C Hunter.

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**ITEM-6            OPER - 29/06/15 - WATER REPORT**

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**15-149 RESOLVED**

**THAT** Council note the water report.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

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**ITEM-7            CORP - 29/06/15 - ARTS OUT WEST MEMORIANDUM OF UNDERSTANDING 2015-2018**

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**MOTION**

**THAT** Council authorise the signing of the Memorandum of Understanding between Lithgow City Council and Arts OutWest for 2015-2016 only.

**MOVED:** Councillor J J McGinnes

**SECONDED:** Councillor P Pilbeam.

## **AMENDMENT**

**THAT** Council authorise the signing of the Memorandum of Understanding between Lithgow City Council and Arts Outwest for 2015-18 with the financial allocation being \$6,434 (\$0.30 per head) for the 15/16 financial year.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

The **AMENDMENT** was **WITHDRAWN**

## **15-150 RESOLVED**

**THAT** Council authorise the signing of the Memorandum of Understanding between Lithgow City Council and Arts OutWest for 2015-2016 period only.

**MOVED:** Councillor J J McGinnes

**SECONDED:** Councillor P Pilbeam.

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## **ITEM-8            CORP - 29/06/15 - COUNCIL INVESTMENTS HELD TO 31 MAY 2015**

### **15-151 RESOLVED**

**THAT** Investments of \$17,680,884.01 and cash of \$3,187,231.36 for the period ending 31 May be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

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## **ITEM-9            CORP - 29/06/15 - 12 MAY 2015 - TOURISM ADVISORY COMMITTEE**

### **15-152 RESOLVED**

**THAT** Council note the minutes of the Tourism Advisory Committee held on the 12 May 2015.

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor F Inzitari.

**ITEM-10 OPER - 29/06/15 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 26TH MAY 2015**

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**15-153 RESOLVED**

**THAT** Council note the minutes of the Sports Advisory Committee held on 26<sup>th</sup> May 2015.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

**ITEM-11 OPER - 29/06/15 - OPERATIONS COMMITTEE MEETING - 28TH MAY 2015**

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**15-154 RESOLVED**

**THAT** Council:

1. Note the minutes of the Operations Committee held on 28<sup>th</sup> May 2015.
2. Alter the operating hours of the Indoor Aquatic Centre eliminating the period of closure between 11.00 am and 1.00 pm during weekdays.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor P Pilbeam.

**ITEM-12 CORP - 29/06/15 - COMMUNITY DEVELOPMENT COMMITTEE MEETING - 2 JUNE 2015**

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**15-155 RESOLVED**

**THAT** Council:

1. Note the minutes of the Community Development Committee meeting held 2 June 2015.
2. Provide Round 1 2015/16 Non-Recurrent Financial Assistance to the following organisations:

	<b>Organisation and Project</b>	<b>Amount Recommended</b>
<b>(a)</b>	Lithgow Men's Shed <b>Administrative Assistance</b>	\$1,000
<b>(b)</b>	Lithgow Workmen's Club Men's and Women's Bowling Club <b>Promotional Magnets</b>	\$200
<b>(c)</b>	Lithgow Information and Neighbourhood Centre <b>Circle of Security Parenting Program</b>	\$2,000
<b>(d)</b>	Lithgow State Mine Heritage Park &	\$1,000

	<b>Organisation and Project</b>	<b>Amount Recommended</b>
	Railway <b>Ghosts of Gondwana</b>	
<b>(e)</b>	Lithgow PCYC <b>Activity Equipment Upgrades</b>	\$1,500
<b>(f)</b>	Combined Districts Kart Club <b>Lithgow City Raceway Signage</b>	\$574
<b>(g)</b>	Lithgow City Band <b>General Financial Assistance</b>	\$1,500
<b>(h)</b>	National Trust of Australia (NSW) <b>John Wellings Award</b>	\$500
<b>(i)</b>	Blast Furnace Theatre Company <b>Hansel and Gretel</b>	\$2,500
<b>(j)</b>	Mitchell Conservatorium Inc. Lithgow Division <b>2016 Scholarships</b>	\$1,500
<b>(k)</b>	Mingaan Wiradjuri Aboriginal Corporation <b>NAIDOC Week 2015</b>	\$2,000
<b>(l)</b>	Lithgow Community Housing <b>Crisis Accommodation Assistance Baskets</b>	\$1,000
<b>(m)</b>	Lithgow Information and Neighbourhood Centre <b>Migrant and Refugee Mentoring Program</b>	\$2,000
<b>(n)</b>	Lithgow Community Transport <b>Bus window tinting</b>	\$1,000
<b>(o)</b>	Lithgow Legacy <b>General running costs</b>	\$1,500
<b>(p)</b>	Lithgow Uniting Church <b>Noah's Ark Babies Group</b>	\$1,500
<b>(q)</b>	Lithgow Child Protection Interagency <b>Children's Expo, Community Fun Days and Professional Development</b>	\$2,000
<b>(r)</b>	Lithgow Athletics Club <b>Project Defib</b>	\$2,000
<b>(s)</b>	Greater Lithgow Arts Council <b>Lithgow District Cultural Awards</b>	\$2,400

	<b>Organisation and Project</b>	<b>Amount Recommended</b>
<b>(t)</b>	Pied Piper Preschool <b>Solar Panels</b>	\$500
<b>(u)</b>	Wallerawang Kids Club <b>Reimbursement of Wallerawang Hall hire charges</b>	\$500
<b>(v)</b>	Portland Men's Shed <b>Establish workshop facilities</b>	\$1,000
<b>(w)</b>	Gindaay Youth Centre (Fusion Australia Ltd) Portland <b>Ongoing running costs for Gindaay Youth Centre Portland</b>	\$1,500
<b>(x)</b>	Crystal Theatre Community Cinema <b>Purchase and install digital projection equipment</b>	\$1,500
<b>(y)</b>	Rydal AH & P Society <b>Sponsorship</b>	\$1,000
<b>(z)</b>	Rydal Village Association <b>Daffodils at Rydal 2015</b>	\$1,200
<b>(a1)</b>	Tarana Tanker Trailers <b>Tanker Trailer Registration</b>	\$1,100
<b>(b1)</b>	Hartley Recreation Reserve Trust <b>Provision of electrical power to The Old Hartley School and grounds</b>	\$1,800
	<b>TOTAL</b>	<b>\$37,774</b>

3. Allocate \$1,000 from the Non-recurrent Financial Assistance allocation for waivers by the General Manager of fees for the use of Council facilities throughout the year.
4. Allocate \$10,000 from the Non-recurrent Financial Assistance allocation for four (4) fee waiver packages of up to \$2,500 each to non-profit community groups towards the cost of hiring the Civic Ballroom and/or Tony Luchetti Showground
5. Allocate \$2,500 from the Non-recurrent Financial Assistance allocation for Sporting Related Financial Assistance.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor C Hunter.

**ITEM-13          CORP - 29/06/15 - 16 JUNE 2015 - TOURISM ADVISORY COMMITTEE**

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**15-156 RESOLVED**

**THAT** Council:

1. Note the minutes of the Tourism Advisory Committee held on the 16 June 2015
2. In accordance with clause 10.1(a) of the BMLOT constitution, gives written notice resigning the Council's membership of BMLOT and advising the cessation of the Council's annual funding for BMLOT.
3. Welcomes and supports Destination NSW's tourism forum on development of a sustainable model for regional tourism and marketing for the Blue Mountains, Lithgow and Oberon, which will be held in June/July 2015 and that the Council advises Destination NSW that it will be an active participant.
4. Retains the proposed 2015-2016 allocation for regional tourism and marketing in Council's budget until the Council has reviewed the outcomes of the Destination NSW forum and options for sustainable models for regional tourism are presented and considered.

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor F Inzitari.

**ITEM-14          GM - 29/06/15 - MINING TASKFORCE - 16 JUNE 2015**

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**15-157 RESOLVED**

**THAT** Council note the minutes of the Mining Taskforce meeting held on 16 June 2015.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari.

**ITEM-15          DELEGATES REPORT - 29/06/15 - CENTROC MEETING - 28 MAY 2015**

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**15-158 RESOLVED**

**THAT** the Delegates Report from the Centroc Board Meeting 28 May 2015 at Parliament House be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

**ITEM-16 NOTICE OF MOTION - 29/06/15 - CURRENT REFURBISHMENT OF THE 50-METRE OUTDOOR SWIMMING POOL AT LITHGOW AQUATIC CENTRE - CLR M TICEHURST**

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**15-159 RESOLVED**

**THAT** Item 16 be withdrawn.

**MOVED:** Councillor M Ticehurst      **SECONDED:** Councillor W McAndrew

**ITEM-17 NOTICE OF MOTION - 29/06/15 - CURRENT REPLACEMENT OF THE BLACK BRIDGE AT WALLERAWANG - CLR M TICEHURST**

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**15-160 RESOLVED**

**THAT** the General Manager and/or Senior Council Officers provide an update to this Ordinary Meeting of Council on the current construction underway on the replacement of the Black Bridge at Wallerawang.

**MOVED:** Councillor M F Ticehurst      **SECONDED:** Councillor W McAndrew.

Council's Group Manager Operations provided a brief update in relation to the Black Bridge.

**ITEM-18 NOTICE OF MOTION - 29/06/15 - PUBLIC RECOGNITION OF LITHGOWITES WHO SERVED AND DIED DURING WW2 AND THE KOREAN WAR - CLR M TICEHURST**

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Item 18 was dealt with earlier.

**15-161 RESOLVED**

**THAT** Council accept the late report in relation to the operation maintenance of Ultraviolet Disinfection at the Lithgow and Wallerawang Sewerage Treatment plants.

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



**ITEM-19            LATE REPORT - OPER - 290615 - OPERATION MAINTENANCE OF  
ULTRAVIOLET    DISINFECTION    AT    THE    LITHGOW    AND  
WALLERAWANG SEWERAGE TREATMENT PLANTS**

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**15-162 RESOLVED**

**THAT** Council accept the offer from WaterNSW in an amount of \$400,000 plus GST (less \$6,803) as a contribution to the ongoing operation of the UV disinfection systems and Lithgow and Wallerawang Sewage treatment plants.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew

## **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

**There being no further business the meeting concluded at 9.10pm.**