



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

16 NOVEMBER 2015

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 12 NOVEMBER 2015**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 28

**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 J McGinnes  
Councillor P Pilbeam  
Councillor M F Ticehurst

**APOLOGIES**

NIL

**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  
Miss Maddison Bailey, Acting Group Manager Operations

**CONFIRMATION OF MINUTES**

**15-294 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 26 October 2015 were taken as read and confirmed by Councillors F Inzitari and R Thompson

**DECLARATION OF INTEREST**

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

NIL

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## **QUESTIONS FROM THE PUBLIC**

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

### **PF – 16/11/15 – MS KATIE BRASSIL**

Ms Brassil made a statement in relation to the approval of Springvale Mine. Ms Brassil thanked Council for its support in seeking approval for extension. Ms Brassil congratulated Council for being awarded the A R Bluett Award and for the success of Halloween 2015.

*The Mayor thanked Ms Brassil for her comments.*

### **PF – 16/11/15 – MRS GLENDA ANTHES**

Mrs Anthes congratulated the Council on the success on Halloween 2015 and thanked the Council for their support to local businesses and hard work.

## **PROCEDURAL MOTION**

**THAT** an extension of time be granted to Mrs Anthes

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Thompson

*The Mayor thanked Mrs Anthes for her comments.*

### **PF – 16/11/15 – MR STUART BUCK**

Mr Buck made a statement in relation to Item 18 of the Agenda.

*The Mayor thanked Mr Buck for his comments.*

### **PF – 16/11/15 – MR BARRY REID**

Mr Reid made a statement in relation to Item 20 of the Agenda and how successful and positive the Halloween event had been.

*The Mayor thanked Mr Reid for his comments.*

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**PROCEDURAL MOTION**

**THAT** item 18 be brought forward and dealt with at this point of the meeting

**MOVED:** Councillor M Ticehurst

**SECONDED:** Councillor M McGinnes

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**ITEM-18 NOTICE OF MOTION - 16/11/15 - REST STOP - RIVERLETT HILL -  
COUNCILLOR F INZITARI**

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**15-295 RESOLVED**

**THAT** Lithgow Council strongly oppose the continuation of the rest stop at the top of Riverlett Hill (eastern side) to the RMS, and support the request from the residents who reside there, to have this rest stop removed when road works to that section is complete.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam.

**PROCEDURAL MOTION**

**THAT** items 15, 19 and 20 lay on the table

**MOVED:** 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 W McAndrew  
Councillor P Pilbeam  
Councillor M Statham  
Councillor R Thompson

**AGAINST**

Councillor M F Ticehurst  
Councillor J J McGinnes  
Councillor C Hunter

**ITEM-1            GM - 16/11/15 - LOCAL GOVERNMENT REFORM - FIT FOR THE FUTURE**

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**15-296 RESOLVED**

**THAT** Council make a submission that it wishes to stand alone.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew.

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  
Councillor R Thompson

**AGAINST**

Councillor M F Ticehurst  
Councillor J J McGinnes

**ITEM-2            GM - 16/11/15 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS**

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**15-297 RESOLVED**

**THAT** Council:

1. Re-Adopt Policy 9.5 for the 'Payment of Expenses and Provision of Facilities to Councillors,' Version 6;
2. Advise the Division of Local Government that the Policy has been publically advertised and adopted.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor R Higlett.

**ITEM-3            ENVIRO - 16/11/15 - RURAL LANDS STUDY - PROJECT MATTERS**

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**15-298 RESOLVED**

**THAT** Council note the appointment of Edge Land Planning to complete the Rural and Rural Residential Strategy Review.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-4            ENVIRO - 16/11/15 - DA042/15 - WESTFUND VOLUNTARY  
PLANNING AGREEMENT**

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**15-299 RESOLVED**

**THAT:**

1. Council endorse the Voluntary Planning Agreement on behalf of Westfund Pty Ltd consisting of a contribution of \$50,000 to go toward the expansion of a footpath/cycleway around Lake Pillans.
2. The Voluntary Planning Agreement as endorsed be forwarded to the Minister for Planning and Environment.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor P Pilbeam.

**ITEM-5            ENVIRO - 16/11/15 - REQUEST FOR EXEMPTION - SECTION 94A  
CONTRIBUTIONS- ENERGY AUSTRALIA NSW PTY LTD**

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**15-300 RESOLVED**

**THAT** Council provide an exemption to Section 94A contributions to Energy Australia NSW PTY LTD for the demolition of cooling towers at the Wallerawang Power Station site.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.



**ITEM-6            OPER - 16/11/15 - WATER REPORT**

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**15-301 RESOLVED**

**THAT:**

1. Council note the water report.
2. Council staff provide confirmation that all the Sewerage Treatment Plants within the LGA are running competently and within guidelines.
3. Future water reports contain trend analysis data of water quality complaints.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew.

Confirmation in relation to point 2 was provided by staff.

**ITEM-7            OPER - 16/11/15 - OAKEY PARK WATER TREATMENT PLANT  
FILTER UPGRADE**

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**15-302 RESOLVED**

**THAT** Council:

1. **ACCEPT** the tender from Xylem Water Solutions Australia for Five Hundred and Eighty Two Thousand Eight Hundred and Seventy Nine Dollars (\$582,879.00 GST inclusive) for the upgrade of the Filters at the Oakey Park Water Treatment Plant.
2. Authorise the affixing of the Council seal to any necessary documentation in relation to this matter.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-8            CORP - 16/11/15 - QUARTERLY PERFORMANCE REPORT ON 2015-  
2016 OPERATIONAL PLAN FOR THE PERIOD 1 JULY TO 30  
SEPTEMBER 2015**

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**15-303 RESOLVED**

**THAT:**

1. The surplus of \$9,230.73 for the 2015-2016 Operational Plan as detailed in the Quarterly Performance Report for the period 1 July to 30 September 2015 be adopted.

2. Council adopt the variations to the Council budget as outlined in the report.
3. The Council note that the Group Manager of Corporate and Community, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and Reporting) Regulation 2009, (s203) that Council's 2015-2016 Operational Plan has been reviewed and the financial position of Council is satisfactory.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

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**ITEM-9            CORP - 16/11/15 - 2014/15 ANNUAL REPORT**

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**15-304 RESOLVED**

**THAT** Council **ADOPT** the Lithgow City Council Annual Report 2014-2015.

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor F Inzitari.

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**ITEM-10            CORP - 16/11/15 - COUNCIL INVESTMENTS HELD TO 31 OCTOBER 2015**

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**15-305 RESOLVED**

**THAT** Investments of \$21,633,203.23 and cash of \$2,560,812.66 for the period ending 31 October be noted.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor W McAndrew.

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**ITEM-11            OPER - 16/11/15 - OPERATIONS COMMITTEE MEETING - 15TH OCTOBER 2015**

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**15-306 RESOLVED**

**THAT** Council note the minutes of the Operations Committee held on 15<sup>th</sup> October 2015.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor C Hunter.

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**ITEM-12          CORP - 16/11/15 - YOUTH COUNCIL MINUTES - 27 OCTOBER 2015**

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**15-307 RESOLVED**

**THAT** Council note the minutes of the Youth Council meeting held 27 October 2015.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett.

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**ITEM-13          OPER - 16/11/15 - SPORTS ADVISORY COMMITTEE MEETING  
MINUTES - 27TH OCTOBER 2015**

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**15-308 RESOLVED**

**THAT** Council note the minutes of the Sports Advisory Committee held on 27<sup>th</sup> October 2015.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam.

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**ITEM-14          ENVIRO - 16/11/15 - HOWARD & SONS PYROTECHNICS PTY LTD  
COMMUNITY LIAISON COMMITTEE MEETING MINUTES- 28  
OCTOBER 2015**

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**15-309 RESOLVED**

**THAT** the minutes of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee Meeting held on 28 October 2015 be noted.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-15 NOTICE OF MOTION - 16/11/15 - PRIVATE WORKS UNDER SECTION 67 OF THE NSW LOCAL GOVERNMENT ACT 1993 - COUNCILLOR M TICEHURST**

---

Item 15 was dealt with earlier.

**ITEM-16 NOTICE OF MOTION - 16/11/15 - FLOOD DAMAGE TO THE BOUNDARY OF 2 BELLS ROAD LITHGOW - COUNCILLOR M TICEHURST**

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**15-310 RESOLVED**

**THAT** the General Manager and/or Senior Council Officers table a report to the Council on the major flood damage that occurred to the boundary of 2 Bells Road Lithgow in February 2013 and an update of where the matter is currently at and recommendations on how it may be resolved and repaired.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes.

**ITEM-17 NOTICE OF MOTION - 16/11/15 - INVESTIGATE WHAT THE FUTURE PLAN IS FOR THE OLD POLICE STATION - BRIDGE ST LITHGOW - COUNCILLOR F INZITARI**

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**15-311 RESOLVED**

**THAT** Council through the General Manager, contact the relevant State Government Department to raise concerns over the lack of attention shown to the Old Police Station on Bridge St Lithgow, and raise its poor condition, and ask as to what future plans (if any) they have for the rehabilitation of the building.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor P Pilbeam.

**ITEM-18 NOTICE OF MOTION - 16/11/15 - REST STOP - RIVERLETT HILL - COUNCILLOR F INZITARI**

---

Item 18 was dealt with earlier.

**ITEM-19 NOTICE OF MOTION - 16/11/15 - PRESS RELEASE - IPART  
REPORT - LITHGOW CITY COUNCIL 'UNFIT FOR THE FUTURE' -  
COUNCILLOR J MCGINNES**

---

Item 19 was dealt with earlier

**ITEM-20 NOTICE OF MOTION - 16/11/15 - REPORT ON THE METHODOLOGY  
OF CALCULATING THE OFFICIAL CROWD ATTENDANCE FOR  
HALLOWEEN 2015 - COUNCILLOR J MCGINNES**

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Item 20 was dealt with earlier

## **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 – 16/11/15 – COUNCILLOR W MCANDREW**

Councillor McAndrew spoke in relation to the upcoming Festival of the Valley Event to be held on 29 November. The organisers requested a fee waiver for the hiring of the Showground.

### **15-312 RESOLVED**

**THAT** the request for a fee waiver be declared as business of great urgency

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

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

### **15-313 RESOLVED**

**THAT** Council provide a Civic Ballroom and Tony Luchetti Showground Fee waiver package of up to \$2,500 to the Festival of the Valley Event.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari

**ITEM-21            CLOSED COUNCIL - CONFIDENTIAL - ENVIRO - 16/11/15 - TENDER  
FOR COUNCIL CLEANING SERVICES**

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**15-314 RESOLVED**

**THAT** Council consider the tender for council cleaning services in closed Council in accordance with Section 10A(2)(a) and (c) of the Local Government Act 1993.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew.

Prior to the Motion being PUT the General Manager asked if there were any objections from the Public with regards to the confidential reports being in closed Council.

There were no objections.

**15-315 RESOLVED**

**THAT** Council move into Closed Council to consider the confidential report (8.41pm).

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew

**15-316 RESOLVED**

**THAT** A supplementary report be received in relation to the Tender for Council Cleaning Services.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor F Inzitari.

**MOTION**

**THAT** Council continue to use Council staff to undertake cleaning services.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor M Ticehurst

The MOTION was **PUT** and **LOST**

## 15-317 RESOLVED

### THAT:

1. Council engage SKG Pty Ltd to carry out cleaning services as outlined in the tender specification and subject to rise and fall provisions of the contract in accordance with the tendered rates (GST inclusive) for a period of Five (5) years as follows:

Total Annual for Scheduled Cleans	Hourly Rate 7am – 5pm	Hourly Rate 5.01am - 6.59pm	Hourly Rate Saturday	Hourly Rate Sunday	Hourly Rate Public Holiday
\$360,682.30	\$40.90	\$40.90	\$42.90	\$42.90	\$48.00

2. The two permanent staff members be given assurance that their employment will be maintained in an appropriate area.
3. Council authorise the affixing of the Council Seal to necessary documentation.
4. The General Manager be authorised to withhold the resolution until further discussions are held with staff.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam

Councillor McAndrew and Hunter requested their names be recorded **AGAINST** the motion.

Councillor Ticehurst vacated the chambers at 9.13pm.

Councillor McGinnes also vacated the chambers at 9.14pm.

At 9.14pm the Council resolved to refer to open Council.

**MOVED:** Councillor F Inzitari

**SECONDED:** Councillor R Higlett

The General Manager advised the public gallery that the Council had authorised him to withhold the resolution until further discussions were held with staff.

**There being no further business the meeting concluded at 9.15pm.**