



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

29 FEBRUARY 2016

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 29 FEBRUARY 2016**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 45

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
Mrs Trinity Newton, Minute Secretary Support
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

16-28 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 8 February 2016 were taken as read and confirmed by Councillors R Thompson and F Inzitari.

DECLARATION OF INTEREST

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

NIL

PUBLIC FORUM

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

PF – 29/02/16 – MRS PATRICIA DENGATE

Mrs Dengate made a statement in relation to Items 13 and 14 of the Agenda.

PROCEDURAL MOTION

THAT an extension of time be granted

MOVED: Councillor w McAndrew

SECONDED: Councillor F Intizari

The Mayor thanked Mrs Dengate for her comments.

PF – 29/02/16 – MRS TINA CASE

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

The Mayor thanked Mrs Case for her comments.

PF – 29/02/16 – MRS OLWYN KING

Mrs King made a statement in relation to Item 2 of the Agenda.

The Mayor thanked Mrs King for her comments.

PF – 29/02/16 – MRS HELEN DREWE

Mrs Drewe addressed Council in relation to Item 13 of the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted

MOVED: Councillor M Ticehurst

SECONDED: Councillor W McAndrew

Mr Stewart responded to Mrs Drewe's comments. Mr Stewart advised that this project is only in its very preliminary stages and as such there has been no further progress in relation to designs.

The Mayor thanked Mrs Drewe for her comments.

PF – 29/02/16 – MRS CHRISTINE HICKS

Mrs Hicks made a statement in relation to Item 13 of the Agenda.

The Mayor thanked Mrs Hicks for her comments.

PF – 29/02/16 – MRS HELEN RILEY

Mrs Riley made a statement in relation to Item 1 of the Agenda.

The Mayor thanked Mrs Riley for her comments.

PF – 29/02/16 – MRS SUE GRAVES

Mrs Graves made a statement in relation to Item 8 of the Agenda.

The Mayor requested Mrs Graves contact Council to make an appointment to discuss.

PF – 29/02/16 – MS LAURA PILLANS

Ms Pillans made a statement in relation to Item 6 of the Agenda.

The Mayor thanked Ms Pillans for her comments.

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PROCEDURAL MOTION

THAT Items 6, 7, 2, 13 and 14 be brought forward and considered, in this order, at this point of the meeting.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor R Thompson.

ITEM-6 **CORP - 29/02/16 - EXCESSIVE WATER ACCOUNT FOR PROPERTY 17390 - REQUEST FOR CONSIDERATION**

16-29 RESOLVED

THAT:

1. Council, following representation from the public gallery, write off \$7,238.86 from Property 17390 Water Account
2. Tier 1 be charged to this property for the remainder of this financial year
3. Advise the property owner in writing of Council's resolution.

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

ITEM-7 **CORP - 29/02/16 - REQUEST FOR CONSIDERATION - EXCESSIVE WATER ACCOUNT FOR PROPERTY 102778**

16-30 RESOLVED

THAT:

1. Council, following representation from the public gallery, write off \$6,012.67 from Property 102778 Water Account
2. Tier 1 be charged to this property for the remainder of this financial year.
3. Advise the property owner in writing of Council's resolution.

MOVED: Councillor F Inzitari

SECONDED: Councillor R Higlett.

**ITEM-2 ENVIRO - 29/02/16 - DA228/15 - EXEMPTION TO SECTION 64
(SEWER & WATER) CONTRIBUTIONS FOR PROPOSED
LITHGOW AGED CARE DEVELOPMENT- MAPLE CRESCENT-
SHORT STREET LITHGOW**

MOTION

THAT Council:

1. Waive the Section 64 Contributions relating to DA228/15 given the development is to be carried out by a not for profit organisation for privately funded essential community infrastructure.
2. Note that a similar endeavour by a state or federal government would not attract any section 64 contributions to the Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT a discount of 25% be provided on Section 64 Contributions relating to DA228/15 given the development is to be carried out by a not for profit organisation for privately funded essential community Infrastructure.

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

The AMENDMENT was PUT and **LOST**

16-31 RESOLVED

THAT Council:

1. Waive the Section 64 Contributions relating to DA228/15 given the development is to be carried out by a not for profit organisation for privately funded essential community infrastructure.
2. Note that a similar endeavour by a state or federal government would not attract any section 64 contributions to the Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

**ITEM-13 OPER - 29/02/16 - OPERATIONS COMMITTEE MEETING - 18
FEBRUARY 2016**

16-32 RESOLVED

THAT Council:

1. Note the minutes of the Operations Committee held on 18th February 2016
2. **APPROVE** the following additional projects for the Roads to Recovery program for 2015/16:
 - Magpie Hollow Road rehabilitation and reseal from Martins Lane to Mortens Hill - \$100,000;
 - Curly Dick Road gravel and seal from end of existing seal to Diamond Swamp Road - \$100,000;
 - Coxs River Road gravel and seal from Duddawarra Bridge to new work in the vicinity of Lowther Siding - \$220,000;
 - Rydal Hampton road bitumen reseal selected sections - \$100,000; and
 - Glen Alice Road connects two existing sections of sealed pavement (missing Link) - \$40,000.
3. Defer the matter in relation to the access to 17 Barton Avenue until an onsite meeting has been held.
4. NOT proceed with Item 7 within the minutes as it relates to the Endeavour Park development options in particular the reclassification of Endeavour Park

MOVED: Councillor W McAndrew

SECONDED: Councillor P Pilbeam.

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

Division (Unanimous) -

FOR

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

**ITEM-14 NOTICE OF MOTION - 29/02/16 - RESOLUTION OF ACCESS TO
17 BARTON AVENUE, WALLERAWANG - CLR M TICEHURST**

16-33 RESOLVED

THAT Item 14 be withdrawn given it was considered as part of Item 13.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew.

ITEM-1 GM - 29/02/16 - RESOURCES FOR REGIONS FUNDING

16-34 RESOLVED

THAT:

1. Council submit Expressions of Interest under the Resources for Regions Program in the following priority order:
 - i) Adventure Playground
 - ii) Rural Fire Service Remote Fires Fighting Training Centre
 - iii) Blast Furnace Park
 - iv) Union Theatre
2. Council support and endorse the COC Limited application for funding for the Eskbank Rail Heritage Centre which will have a direct impact on employment and tourism.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

**ITEM-2 ENVIRO - 29/02/16 - DA228/15 - EXEMPTION TO SECTION 64
(SEWER & WATER) CONTRIBUTIONS FOR PROPOSED
LITHGOW AGED CARE DEVELOPMENT- MAPLE CRESCENT-
SHORT STREET LITHGOW**

Item 2 was dealt with earlier in the meeting.

ITEM-3 ENVIRO - 29/02/16 - PROPOSED LEASE OF SOUTH LITTLETON HALL - EAST STREET LITHGOW TO LITHGOW CHAPTER GROUP - ORDER OF THE EASTERN STAR

16-35 RESOLVED

THAT Council:

1. Grant a lease of a 190m² section of Lot 114 DP 28254 known as South Littleton Hall East St Lithgow, as shown on the attached plan, to Lithgow Chapter No39, Order of the Eastern Star subject to the following terms and conditions:
 - i. Lease term of 5yrs with no option
 - ii. Rent \$469.00pa + CPI
 - 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. Lessee to meet 100% of all outgoings excluding property rates and insurances.
2. The Lessee meet all Councils legal costs associated with the subject lease in accordance with Council Policy 1.1 Leases - Legal Costs.
3. Authorise the affixing of the Council Seal to the lease document and/or other relevant documentation.

MOVED: Councillor F Inzitari

SECONDED: Councillor P Pilbeam.

ITEM-4 ENVIRO - 29/02/16 - DA245/13 - MARRANGAROO ESTATE PTY LTD VOLUNTARY PLANNING AGREEMENT

16-36 RESOLVED

THAT:

1. Council endorse the Voluntary Planning Agreement proposed by Marangaroo Estate Pty Ltd in association with DA245/13 for a contribution of \$1,700 per allotment to go towards community facilities and an additional \$50,000 to be spent on improvements to the existing park/playground in Girraween Drive, Marrangaroo.
2. The Voluntary Planning Agreement be notified to the Department of Planning and Environment.

MOVED: Councillor R Thompson

SECONDED: Councillor R Higlett.

ITEM-5 OPER - 29/02/16 - WATER REPORT

16-37 RESOLVED

THAT Council:

1. Note the water report.
2. Investigate and report back to Council the take up of water saving schemes in neighbouring Councils

MOVED: Councillor F Inzitari

SECONDED: Councillor W McAndrew.

**ITEM-6 CORP - 29/02/16 - EXCESSIVE WATER ACCOUNT FOR
PROPERTY 17390 - REQUEST FOR CONSIDERATION**

Item 6 was dealt with earlier in the meeting.

**ITEM-7 CORP - 29/02/16 - REQUEST FOR CONSIDERATION -
EXCESSIVE WATER ACCOUNT FOR PROPERTY 102778**

Item 7 was dealt with earlier in the meeting.

**ITEM-8 CORP - 29/02/16 - NOMINATIONS FOR THE CRIME
PREVENTION COMMITTEE AND CBD REVITALISATION
COMMITTEE**

16-38 RESOLVED

THAT Council endorse the appointment of Johan Nilsson to the Crime Prevention Committee and Graham Hodson to the CBD Revitalisation Action Plan Committee.

MOVED: Councillor W McAndrew

SECONDED: Councillor F Inzitari.

- taking to prevent future vandalism and protect the Blackfellows Hands Reserve.
2. Council with Mingaan Wiradjuri Aboriginal Corporation investigate the establishment of a Cultural Centre.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew.

The Group Manager Corporate and Community provided advice.

**ITEM-16 NOTICE OF MOTION - 29/02/16 - PROPOSED RAILWAY
WALKWAY OVER INCH STREET LITHGOW - CLR M TICEHURST**

16-44 RESOLVED

THAT:

1. The General Manager and/or Senior Council Officers provide an update report to this Ordinary Meeting of Council on the previously proposed Railway Walkway over Inch Street Lithgow.
2. That Council contact the new owners of the block to the west of the bridge to discuss their plans for the block and to secure or purchase the rail corridor to complete the link between the bridge and Eskbank House.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The General Manager provided advice.

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 9.29pm.