A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

18 APRIL 2016

AT 7.00pm
Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 36

PRESENT
Her Worship the Mayor
Councillor M Statham
Councillor R Thompson
Councillor R Higlett
Councillor C Hunter
Councillor F Inzitari
Councillor W McAndrew
Councillor P Pilbeam
Councillor J J McGinnes 7.01pm

APOLOGIES
NIL

Also in attendance
Mr Roger Bailey, General Manager
Mrs Trinity Newton, Minutes Secretary
Mrs Rhiannan Whiteley, Personal Assistant to Mayor and General Manager
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 – 68 RESOLVED
Confirmation of the Minutes of the Ordinary Meeting of Council held on the 21 March 2016 were taken as read and confirmed by Councillors R Thompson and F Inzitari with the following amendment:

Item 4 Hy-Tec Industries, Austen Quarry Voluntary Planning Agreement - moved by Councillor Hunter and Seconded by Councillor McGinnes. Resolution No. 16-52

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

Councillor F Inzitari declared a Pecuniary Interest in item 8, due to his mother owning the property. He will vacate the Chambers.
Councillor M Statham declared a less than significant Non-Pecuniary in item 4 due to the renaming being after her father. She will vacate the Chambers.

QUESTIONS FROM THE PUBLIC

At 7:02pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 18/04/16 – OLAF LECKBANDT
Mr Leckbant made a statement in relation to Item 21 of the Agenda.

*The Mayor thanked Mr Leckbandt for his comments.*

Note: Mr Ian Burrett registered to speak on the subject of giving support to Financial Assistance Application for Lithgow City WW1 Commemorative Plaque Project Committee but did not attend the meeting.

PF – 18/04/16 - NICK PARSONS
Mr Parsons made a statement in relation to Item 6 of the Agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Parsons

MOVED: Councillor F Inzitari  SECONDED: Councillor W McAndrew

*The Mayor thanked Mr Parsons for his comments.*

PF – 18/04/16 – PETER EVANS
Mr Evans made a statement in relation to Item 11 of the Agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Evans

MOVED: Councillor P Pilbeam  SECONDED: Councillor F Inzitari

*The Mayor thanked Mr Evans for his comments.*

PF – 18/04/16 – JASON GREEN
Mr Green made a statement in relation to Item 25 of the Agenda.
PROCEDURAL MOTION

THAT an extension of time be granted to Mr Green

MOVED: Clr F Inzitari                SECONDED: Clr W McAndrew

*The Mayor thanked Mr Green for his comments*

PF – 18/04/16 - ANTHONY KENDALL
Mr Kendall made a statement in relation to Item 3 of the Agenda.

*The Mayor thanked Mr Kendall for his comments.*

PF – 18/04/16 – IAN RUFUS
Mr Rufus made a statement in relation to Item 6 of the Agenda.

*The Mayor thanked Mr Rufus for his comments.*

PF – 18/04/16 – JOANNA ARROWSMITH
Mrs Arrowsmith made a statement in relation to Item 6 of the Agenda.

*The Mayor thanked Mrs Arrowsmith for her comments.*

PF – 18/04/16 – JANE AITKEN
Mrs Aitken made a statement in relation to Item 6 of the Agenda.

*The Mayor thanked Mrs Aitken for her comments.*

PF – 18/04/16 - CHRISTINE MORTON
Mrs Morton made a statement in relation to Item 6 of the Agenda.

*The Mayor thanked Mrs Morton for her comments.*
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PROCEDURAL MOTION

THAT item 21, 3 and 6 be brought forward and considered in this order at this point of the meeting.

MOVED: Councillor W McAndrew  SECONDED: Councillor R Thompson

ITEM-21 NOTICE OF MOTION - 18/04/16 - MR OLAF LECKBANDT - COUNCILLOR M TICEHURST & J MCGINNES

16 – 69 RESOLVED

THAT the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the actions of the Lithgow City Council Group Manager Environment and Development, Mr Andrew Muir addressing Mr Leckbandt’s concerns and a copy of the Council’s response to Mr Leckbandt letter.


The Group Manager for Environment and Development provided advice.

ITEM-3 ENVIRO - 18/04/16 - PROPOSED SOLID FUEL HEATERS S68103/15 & S68001/16 - JAMES O'DONNELL DRIVE LITHGOW

16 – 70 RESOLVED

THAT the Section 68 Solid Fuel Heater applications for 7 and 29 James O'Donnell Drive, Lithgow be approved.

MOVED: Councillor W McAndrew  SECONDED: Councillor R Thompson.

ITEM-6 ENVIRO - 18/04/16 - BRIDGE STREET NON-CONFORMANT ADDRESSING

16 – 71 RESOLVED

THAT the status quo remain in the numbering of Eskbank Street, Lithgow.

MOVED: Councillor R Thompson  SECONDED: Councillor W McAndrew.
PROCEDURAL MOTION

THAT Item 25 be brought forward and considered at this point of the meeting.

MOVED: Councillor F Inzitari

ITEM-25

NOTICE OF MOTION - 18/04/16 - MOBILE PHONE BLACKSPOT - LOWTHER, GANBENANG & KANIMBLA - COUNCILLOR F INZITARI

16 – 72 RESOLVED

THAT Council lobby for the installation of infrastructure to provide mobile telephone coverage for the Kanimbla, Lowther and Ganbenang areas.

MOVED: Councillor F Inzitari
SECONDED: Councillor R Higlett.

ITEM-1

GM - 18/04/16 - SEPTEMBER 2016 LOCAL GOVERNMENT ELECTIONS

16 – 73 RESOLVED

THAT Council note the report on the 2016 Local Government Elections.

MOVED: Councillor R Thompson
SECONDED: Councillor P Pilbeam.

ITEM-2

GM - 18/04/16 - RESOURCES FOR REGION FUNDING

16 – 74 RESOLVED

THAT Council note the Expression of Interest applications under the 2015/16 Resources for Region program.

MOVED: Councillor P Pilbeam
SECONDED: Councillor F Inzitari.

ITEM-3

ENVIRO - 18/04/16 - PROPOSED SOLID FUEL HEATERS S68103/15 & S68001/16 - JAMES O’DONNELL DRIVE LITHGOW

Item 3 was dealt with earlier.
ITEM-4  ENVIRO - 18/04/16 - ROAD RE-NAMING - PROPOSED OUTCOMES

Having made an earlier declaration, Councillor Statham left the Chambers at 8.12pm and Councillor Thompson assumed the chair.

16 – 75 RESOLVED

THAT:
1. No further action for the re-naming of Morell Street/ Lyons Street /Mead Street at Meadow Flat be undertaken.
2. The re-naming of Reservoir Road to McManus Road, Portland is accepted and notification in the Government Gazette be undertaken. Once the road name is gazetted Council is to arrange the notification of property address changes to existing landowners and emergency authorities and implement appropriate road signage.

MOVED: Councillor F Inzitari SECONDED: Councillor W McAndrew.

Councillor Statham returned to the chambers and resumed the chair at 8.14pm.

ITEM-5  ENVIRO - 18/04/16 - AWNING IMPROVEMENT PROGRAM

As owners of premises possibly affected by the program and not having declared the interest earlier, Councillor McGinnes and Councillor Higlett declared an interest in Item 5 and vacated the Chambers at 8:14pm

16 – 76 RESOLVED

THAT Council note the action taken on the safety of awnings over public land.

MOVED: Councillor W McAndrew SECONDED: Councillor F Inzitari.

Councillor McGinnes and Councillor Higlett returned to the Chambers at 8:16pm

ITEM-6  ENVIRO - 18/04/16 - BRIDGE STREET NON-CONFORMANT ADDRESSING

Item 6 was dealt with earlier.
ITEM-7   ENVIRO - 18/04/16 - CALLING IN OF DEVELOPMENT APPLICATION DA029/16 PROPOSED DEMOLITION CONSTRUCTION OF SERVICE STATION AND CAFE - GREAT WESTERN HIGHWAY

16 – 77 RESOLVED
THAT the calling in of Development Application No 029/16 be noted.

MOVED: Councillor F Inzitari
SECONDED: Councillor W McAndrew.

ITEM-8   ENVIRO - 18/04/16 - DA053/16 - PROPOSED GARAGE AT 890 GREAT WESTERN HIGHWAY BOWENFELS

Having made an earlier declaration, Councillor F Inzitari vacated the chambers at 8.21pm.

16 – 78 RESOLVED
THAT:
1. Development Application DA053/16 be APPROVED with conditions of consent as detailed in the 79C report.
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 R Higlett.

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 W McAndrew
Councillor J J McGinnes
Councillor P Pilbeam
Councillor R Thompson
Councillor M Statham

Councillor F Inzitari returned to the Chambers 8:22pm.
ITEM-9  ENVIRO - 18/04/16 - MEADOW FLAT HALL

16 – 79 RESOLVED

THAT Council:
1. Accept the nominations of Geoffrey Welsman, Donna Wright, Glenda Weekes, Michael Fritsch and Jordon Scott onto the Meadow Flat Hall Committee.
2. Not fill any further vacancies and allow the positions to be vacant until the 2016 Council elections.

MOVED: Councillor P Pilbeam  SECONDED: Councillor F Inzitari.

ITEM-10  ENVIRO - 18/04/16 - PAINE STREET PORTLAND CROWN RESERVE - LOT 7003 DP1027290

16 – 80 RESOLVED

THAT:
1. Council consider whether it is willing to become Trust manager of R.755769 being Lot 7003 DP1027290 following the submission and determination of a development application for a BMX riding track and associated facilities to be lodged by Portland Sport and Recreation Club for the subject land.
2. An onsite inspection for Council be arranged as soon as possible.

MOVED: Councillor W McAndrew  SECONDED: Councillor R Thompson.

ITEM-11  OPER - 18/04/16 - WATER REPORT

16 – 81 RESOLVED

THAT Council note the water report.

MOVED: Councillor F Inzitari  SECONDED: Councillor R Thompson.
ITEM-12 OPER - 18/04/16 - DRAFT POLICY 3.3 - DRINKING WATER QUALITY

16 – 82 RESOLVED

THAT the Draft Drinking Water Quality Policy 3.3 be placed on exhibition for 28 days before being presented to Council for finalisation.

MOVED: Councillor F Inzitari          SECONDED: Councillor R Higlett.


MOTION

THAT:
1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2016-2017 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
      i. With the following amendment to the Draft Fees and charges – Aquatic Centre Commercial Lane Hire fee including pool entry fee be $15 (GST Inclusive)
      ii. Supervising parents (non-Swimming) of learn to swim participants enter free
      iii. Children Under 12 Years of age participating in any learn to swim program not be charged the entrance fee for their lessons.
2. The closing date for submissions be Friday 20 May 2016.
3. Council note that as part of the 2016/17 Budget process Council has considered rating options for Mt Piper and Wallerawang Power Stations.

MOVED: Councillor W McAndrew          SECONDED: Councillor F Inzitari.

AMENDMENT

THAT:
1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2016-2017 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
      i. With the following amendment to the Draft Fees and charges – Aquatic Centre Commercial Lane Hire fee including pool entry fee be $15 (GST Inclusive)
ii. Supervising parents (non-Swimming) of learn to swim participants enter free
iii. Children Under 12 Years of age participating in any learn to swim program not be charged the entrance fee for their lessons.

2. The closing date for submissions be Friday 20 May 2016.
3. Council note that as part of the 2016/17 Budget process Council has considered rating options for Mt Piper and Wallerawang Power Stations.
4. $90,000 be removed from the Draft Operational Plan for Halloween.

MOVED: Councillor J McGinnes

Lapsed Due to the want for a seconder.

Councillor McGinnes left the Chambers at 8:50pm and did not return.

16 – 83 RESOLVED

THAT:
1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2016-2017 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
      i. With the following amendment to the Draft Fees and charges – Aquatic Centre Commercial Lane Hire fee including pool entry be fee $15 (GST Inclusive)
      ii. Supervising parents (non-Swimming) of learn to swim participants enter free
      iii. Children Under 12 Years of age participating in any learn to swim program not be charged the entrance fee for their lessons.

2. The closing date for submissions be Friday 20 May 2016.
3. Council note that as part of the 2016/17 Budget process Council has considered rating options for Mt Piper and Wallerawang Power Stations.

MOVED: Councillor W McAndrew  SECONDED: Councillor F Inzitari.

16 – 84 RESOLVED

THAT Council develop a policy for charging of fees for learn to swim patrons and patrons over 75 years of age.

MOVED: Councillor P Pilbeam  SECONDED: Councillor W McAndrew
## ITEM-14  CORP - 18/04/16 - COMMUNITY DEVELOPMENT COMMITTEE 
MINUTES OF 1 MARCH 2016

**16 – 85 RESOLVED**

**THAT** Council note the minutes of the Community Development Committee meeting held 1 March 2016.

**MOVED:** Councillor F Inzitari     **SECONDED:** Councillor R Higlett.

## ITEM-15  EXEC - 18/04/16 - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - 9 MARCH 2016

**16 – 86 RESOLVED**

**THAT** Council:
1. Note the minutes of the Economic Development Advisory Committee held on the 9 March 2016.
2. Support the BEC Lithgow Outreach Pilot Project, incorporating the co-location of Council’s Economic Development Officer for two days per week in a Main St Lithgow shop front location.

**MOVED:** Councillor F Inzitari     **SECONDED:** Councillor P Pilbeam.

## ITEM-16  CORP - 18/04/16 - CRIME PREVENTION COMMITTEE MINUTES - 14 MARCH 2016

**16 – 87 RESOLVED**

**THAT** Council note the minutes of the Crime Prevention Committee held on the 14 March 2016.

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

## ITEM-17  CORP - 18/04/16 - YOUTH COUNCIL MINUTES - 15 MARCH 2016

**16 – 88 RESOLVED**

**THAT** Council:
1. Note the minutes of the Youth Council meeting held 15 March 2016.
2. Advertise for expressions of interest for youth engagement projects.

**MOVED:** Councillor F Inzitari     **SECONDED:** Councillor W McAndrew.
16 – 89 RESOLVED

THAT Council note the minutes of the Traffic Advisory Local Committee held on 17th March 2016.

MOVED: Councillor P Pilbeam  
SECONDED: Councillor F Inzitari.

16 – 90 RESOLVED

THAT:
1. Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 23 March 2016.
2. The Meadow Flat Hall Management Committee be renamed the Mac Scott Memorial Hall Management Committee.

MOVED: Councillor P Pilbeam  
SECONDED: Councillor R Thompson.

16 – 91 RESOLVED

THAT Council:
1. Note the minutes of the Sports Advisory Committee held on 29th March 2016;
2. Provide Emily Watts with $300 toward the cost of participating in the NSW Triathlon Team;
3. Accept Westfund Ltd’s corporate sponsorship of $5,000 per annum for a period of 3 years to be allocated to maintenance and minor improvements at Tony Luchetti Sportsground – “Westfund No. 1 Field”, such contribution to be paid to Council by July 11 each year during the term; 
- Ensure that the monies are to be spent on maintenance and improvement for Tony Lucetti Sportsgrounds.
4. Officially name the premier field at Tony Luchetti Sportsground “Westfund No. 1 Field”; and
5. Accept Cody Duncan and Brad Adams as the Sports Advisory Committee representatives from the Lithgow Giants Rugby League Football Club.

MOVED: Councillor R Thompson  
SECONDED: Councillor F Inzitari.
ITEM-21 NOTICE OF MOTION - 18/04/16 - MR OLAF LECKBANDT - COUNCILLOR M TICEHURST & J MCGINNES

Item 21 was dealt with earlier.

ITEM-22 NOTICE OF MOTION - 18/04/16 - UPDATE ON BLAST FURNANCE PARK - COUNCILLOR J MCGINNES & M TICEHURST

16 – 92 RESOLVED

THAT the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the current status of works to the Blast Furnace Park, Lithgow.

MOVED: Councillor W McAndrew SECONDED: Councillor C Hunter.

The General Manager provided advice on the status of works.

ITEM-23 NOTICE OF MOTION - 18/04/16 - FLOOD DAMAGE 2 BELLS ROAD LITHGOW - COUNCILLORS J MCGINNES & M TICEHURST

16 – 93 RESOLVED

THAT Item 23 lay on the table.

MOVED: Councillor R Thompson. SECONDED: Councillor P Pilbeam.

ITEM-24 NOTICE OF MOTION - 18/04/16 - COUNCIL TO NOTIFY INDIVIDUALLY THE LANDHOLDERS OF 4000SQM & UNDER BLOCKS AFFECTED BY THE 2013 LEP - COUNCILLOR F INZITARI

16 – 94 RESOLVED

THAT Council to notify individually the landholders of 4000sqm and under Village Blocks affected by the 2013 LEP policy regarding the building restrictions placed upon their titles.

MOVED: Councillor F Inzitari SECONDED: Councillor P Pilbeam.
ITEM-25 NOTICE OF MOTION - 18/04/16 - MOBILE PHONE BLACKSPOT - LOWTHER, GANBENANG & KANIMBLA - COUNCILLOR F INZITARI

Item 25 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 if:

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 – 18/04/16 – COUNCILLOR W MCANDREW
Councillor McAndrew spoke in relation to the proposed closure of an unformed Crown Road at South Bowenfels that he believes may cause access issues to residents, and the Old Historic Cemetery and requested this be investigated and a report be brought back to Council.

16 – 95 RESOLVED

THAT the request for a report in relation to this proposal be declared a matter of great urgency.

MOVED: Councillor W McAndrew seconded: Councillor P Pilbeam

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

16 – 96 RESOLVED

THAT a report be provided to Council on the proposed closure of the unformed Crown Road at South Bowenfels.

MOVED: Councillor W McAndrew seconded: Councillor P Pilbeam

There being no further business the meeting closed at 9:38pm