



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

18 APRIL 2016

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 18 APRIL 2016**

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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:** Cllr F Inzitari

**SECONDED:** Cllr 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

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

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#### 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.

**MOVED:** Councillor J McGinnes

**SECONDED:** Councillor C Hunter.

The Group Manager for Environment and Development provided advice.

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

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#### 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.

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

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#### 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**

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## 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**

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## 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**

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## 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**

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Item 3 was dealt with earlier.



**ITEM-4            ENVIRO - 18/04/16 - ROAD RE-NAMING - PROPOSED  
                         OUTCOMES**

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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**

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As owners of premises possibly affected by the program and not having declared the interest earlier, Councillor McGinnes and Councillor Higllett 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 Higllett returned to the Chambers at 8:16pm

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

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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**

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**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**

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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**

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**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**

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**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**

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**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**

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**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.

**ITEM-13            CORP - 18/04/16 - COMBINED DELIVERY PROGRAM 2013-2017 & DRAFT OPERATIONAL PLAN 2016-2017**

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**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:
  - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
  - b. Draft Fees and Charges 2016/17.
    - 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:
  - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
  - b. Draft Fees and Charges 2016/17.
    - 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:
  - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
  - b. Draft Fees and Charges 2016/17.
    - 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**

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**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**

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**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**

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**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**

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**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.

**ITEM-18 OPER - 18/04/16 - TRAFFIC ADVISORY LOCAL COMMITTEE - 17 MARCH 2016**

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**16 – 89 RESOLVED**

**THAT** Council note the minutes of the Traffic Advisory Local Committee held on 17<sup>th</sup> March 2016.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor F Inzitari.

**ITEM-19 ENVIRO - 18/04/16 - 23 MARCH 2016 - MEADOW FLAT HALL MANAGEMENT COMMITTEE MINUTES**

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**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.

**ITEM-20 OPER - 18/04/16 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 29 MARCH 2016**

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**16 – 91 RESOLVED**

**THAT** Council:

1. Note the minutes of the Sports Advisory Committee held on 29<sup>th</sup> 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**

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Item 21 was dealt with earlier.

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

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**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**

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**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**

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**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**

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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 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 – 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