



A CENTRE OF REGIONAL EXCELLENCE

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

18 JULY 2016

AT 7.00pm

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

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 34

**PRESENT**

Her Worship the Mayor  
Councillor M Statham  
Councillor R Thompson  
Councillor R Higlett  
Councillor C Hunter  
Councillor W McAndrew  
Councillor P Pilbeam  
Councillor J J McGinnes 7:01pm  
Councillor M F Ticehurst 7:02 pm

**APOLOGIES**

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

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor R Thompson.

**Also in attendance**

Mr Roger Bailey, General Manager  
Mrs Trinity Newton, 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**

**16 – 169 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 27 June 2016 were taken as read and confirmed by Councillors P Pilbeam 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 – 18/7/2016 – Mr Brett Jeffers**

Mr Jeffers made a statement in relation to Item 13 on the Agenda.

*The Mayor thanked Mr Jeffers for his statements.*

### **PF – 18/7/2016 – Mr Paul Lawrence**

Mr Lawrence made a statement in relation to Item 9 on the Agenda.

## **PROCEDURAL MOTION**

**THAT** an extension of time be granted to Mr Lawrence

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew.

*The Mayor thanked Mr Lawrence for his statements.*

### **PF - 18/7/2016 – Mr Robert Paton**

Mr Paton made a statement in relation to Item 9 on the Agenda.

## **PROCEDURAL MOTION**

**THAT** an extension of time be granted to Mr Paton

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor R Higlett.

*The Mayor thanked Mr Paton for his statements.*

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## PROCEDURAL MOTION

**THAT** Item 9 be brought forward and dealt with at this point in the meeting.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

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**ITEM-9            ENVIRO - 18/07/16 - S96006/16 MODIFICATION OF CONSENT  
FOR 066/95DA- TOURIST TRAIN OPERATIONS - LITHGOW  
STATE MINE RAILWAY**

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## 16 – 170 RESOLVED

**THAT** Council defer a decision on the Modification of Consent S96006/16 of 066/95DA until an onsite meeting is held.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor R Thompson.

**Division** (Unanimous)

### FOR

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

## GENERAL MANAGERS REPORTS

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**ITEM-1            EXEC - 18/07/16 - AMENDMENTS TO THE LGA, ELECTION  
FUNDING ACT AND REGULATION**

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## 16 – 171 RESOLVED

**THAT** Council notes the amendments to:

- 1) the Local Government Act 1993 (the LGA) and the Election Funding, Expenditure *and Disclosures Act 1981* (the Election Funding Act) and;
- 2) the *Local Government General Regulation 2005* (Regulation).

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-2 GM - 18/07/16 - RESOURCES FOR REGIONS PROGRAM**

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**16 – 172 RESOLVED**

**THAT** Council lodge a full funding application for the Cullen Bullen Sewer System under the Resources for Regions Program.

**MOVED:** Councillor C Hunter

**SECONDED:** Councillor W McAndrew.

**ITEM-3 GM - 18/07/16 - FIT FOR THE FUTURE - LOCAL GOVERNMENT REFORM**

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**16 – 173 RESOLVED**

**THAT** Council hold an Extra Ordinary Meeting on Wednesday 27 July 2016 at 6pm to consider the Fit For the Future Reassessment submission for Lithgow City Council.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes.

**BUSINESS ARISING**

**16 – 174 RESOLVED**

**THAT** the matter of Item 9 also be included in the Extra Ordinary Meeting on 27 July 2016.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor W McAndrew

**ITEM-4 GM - 18/07/16 - RETURNS UNDER SEC 449 - LG ACT 1993 DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS**

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**16 – 175 RESOLVED**

**THAT** Council:

1. Note the report on Disclosure of Interests under Section 449 of the Local Government Act 1993 for the period 1 July 2015 to 30 June 2016
2. Note that the relevant forms have been issued to all councillors and designated staff
3. Note that the Returns are to be provided to the General Manager by no later than 30 September 2016.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor R Higlett.

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-5            ENVIRO - 18/07/16 - ROAD NAMING - NEW ROAD FOR DA06710                          BOWEN VISTA, SOUTH BOWENFELS

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#### 16 – 176 RESOLVED

##### **THAT**

1. Council continue with the online road naming process for “Settlers Close” for Stage 3 of 067/10DA, in accordance with Geographical Names Board’s NSW Road Naming Policy.
2. If submissions against the proposal are received additional to the term “Retreat”, detail of the submissions will be reported back to a Council meeting for determination.
3. If no further submissions against the proposal are received, Council proceed with the online road naming process and gazettal of ‘Settlers Close. This includes notifying emergency services of this outcome.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

### ITEM-6            ENVIRO - 18/7/16 - S96028/16 MODIFICATION OF CONSENT                          FOR 061/07DA - SUBDIVISION OF 1 LOT INTO 7 MAGPIE                          HOLLOW ROAD SOUTH BOWENFELS MEETING

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#### 16 – 177 RESOLVED

##### **THAT** Council:

1. Upon the completion of the sealing of Old Bathurst Road from the intersection of Magpie Hollow Road to the intersection of the new road associated with 061/07DA, S96028/16 Modification of Consent be approved, subject to the conditions outlined in the attached 79C report.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor C Hunter.

**Division** (Unanimous)

##### **FOR**

Councillor R Higlett  
Councillor C Hunter  
Councillor W McAndrew  
Councillor J J McGinnes  
Councillor P Pilbeam  
Councillor M Statham

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Councillor R Thompson  
Councillor M F Ticehurst

**ITEM-7            ENVIRO - 18/07/16 - DA238/14 - PLANNING AGREEMENT -  
PROPOSED SUBDIVISION 3 LOTS INTO 12, GLEN ALICE, GLEN  
ALICE- OLD ROAD GLEN DAVIS**

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**16 – 178 RESOLVED**

**THAT:**

1. Council endorse the Voluntary Planning Agreement on behalf of Glen Alice Pty Ltd consisting of a contribution of \$40,000 to go towards the upgrade of Glen Alice Road.
2. The Voluntary Planning Agreement as endorsed be forwarded to the Minister for Planning and Environment.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**ITEM-8            ENVIRO - 18/07/16 - DA112/16 - PROPOSED INTERNAL  
MODIFICATION TO BUSHFIRE SHED AT LOT 4 SECTION 3 DP  
758222, CASTLEREAGH HIGHWAY, CAPERTEE**

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**16 – 179 RESOLVED**

**THAT:**

1. Development Application DA112/16 be approved with conditions of consent as detailed in the 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 C Hunter.

**Division – Unanimous**

**FOR**

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

**ITEM-9            ENVIRO - 18/07/16 - S96006/16 MODIFICATION OF CONSENT  
FOR 066/95DA- TOURIST TRAIN OPERATIONS - LITHGOW  
STATE MINE RAILWAY**

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Item 9 on the Agenda was dealt with earlier in the meeting

**OPERATION REPORTS**

**ITEM-10            OPER - 18/07/16 - WATER REPORT**

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**16 – 180 RESOLVED**

**THAT** Council notes the water report.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor P Pilbeam.

**CORPORATE AND COMMUNITY REPORTS**

**ITEM-11            CORP - 18/07/16 - 2016 COMMUNITY SATISFACTION SURVEY**

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**16 – 181 RESOLVED**

**THAT** Council notes the findings in the Community Satisfaction Research 2016 and the following:

1. Development of the Community Survey webpage.
2. Development of the weekly electronic bulletin – Council Connections.
3. Introduction of the Resident Feedback Register for consultation with the community.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor C Hunter.

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**ITEM-12          CORP - 18/07/16 - COUNCIL INVESTMENTS HELD TO 30 June 2016**

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**16 – 182 RESOLVED**

**THAT** Investments of \$24,603,637.39 and cash of \$177,230.55 for the period ending 30 June 2016 be noted.

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor R Thompson.

**COUNCIL COMMITTEE MINUTES**

**ITEM-13          CORP - 18/07/16 - COMMUNITY DEVELOPMENT COMMITTEE MINUTES OF 14 JUNE 2016 INCLUDING FINANCIAL ASSISTANCE RECOMMENDATIONS**

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At this point of the meeting Councillor M F Ticehurst declared a less than significant Non-Pecuniary interest in item 13.

**16 – 183 RESOLVED**

**THAT** Council:

1. Notes the minutes of the Community Development Committee meeting held 14 June 2016.
2. Provides \$36,922 Round 1 2016/17 Non-Recurrent Financial Assistance to the following organisations:

<b>Organisation</b>	<b>Project</b>	<b>Amount Recommended</b>
Lithgow Greyhound Racing Club	Assistance/reduction in water rates	\$1,500
Lithgow Legacy	Running costs	\$1,000
Lithgow Croquet Club	Automatic Watering System for Croquet Lawn	\$1,000
PCYC Lithgow	Establishment of a community garden	\$1,500

<b>Organisation</b>	<b>Project</b>	<b>Amount Recommended</b>
Lithgow Pony Club	Upgrade Dressage Area	\$1,750
Parkrun Lithgow - Parkrun Australia	Parkrun Lithgow	\$1,500
Blast Furnace Theatre Company	January Kids Show	\$2,500
The City of Greater Lithgow Mining Museum Inc.	Upgrading and expanding State Mine Heritage Park Museum interpretations.	\$500
Lithgow Army Cadets - 220 Army Cadet Unit	Connection of piping to their new building	\$1,500 in total
Lithgow Army Cadets - 220 Army Cadet Unit	Connection of electricity to their new building	
Lithgow City Band	Running costs	\$1,250
National Trust NSW - Lithgow Branch	Evans Memorial Sign	\$1,950
Zig Zag Public School	125 year Celebrations	\$750
Mitchell Conservatorium Lithgow	2017 Scholarships	\$1,250
Lithgow Information & Neighbourhood Centre (LINC)	Circle of Security Parenting Program	\$2,500
Lithgow High School	Web based rewards program for students to promote positive behaviour inside and outside the classroom.	\$1,500
Lithgow City WWI Commemorative Plaque Project	Erect a commemorative plaque in Queen Elizabeth Park to honour several hundred Lithgow Township people who served overseas in World War One.	\$1,000

<b>Organisation</b>	<b>Project</b>	<b>Amount Recommended</b>
Wires Central West	Wires Food Van Renovation  Wires Central West are seeking funding to buy materials to rebuild a food caravan to help raise money to pay the ongoing expenses incurred in the rescue and care of injured and orphaned wildlife.	\$1,000
Wallerawang Kids Club	Rent waiver	\$800
Pied Piper Preschool Wallerawang	Pied Piper Preschool Aboriginal Murals Project  Install 4 mural panels at the entrance of the Preschool.	\$500
Portland Tidy Towns	Produce an accompanying book to the Memorial Wall commemorating those lost in the Portland Cement Works and associated quarries and mine, that outlines the history of Portland and the Cement Works and a complete history of each man's death and inquest.	\$1,500
Fusion Australia Ltd. Gindaay Youth Centre	Gindaay Youth Centre Portland - Ongoing running costs	\$1,250
Rydal Village Association	Daffodils at Rydal 2016	\$1,000
Rydal A, H & P Society	Prize money for the Heavy Horse Section for the 2017 Rydal Show	\$1,000
Tarana Tanker Trailers Inc.	Tanker Trailer Registration	\$1,150
Kanimbla Valley Sports and Recreation Club Inc.	2015-2016 Rate Reimbursement	\$572
Cullen Bullen Progress Association	Repairs to hall supper room	\$1,500

Organisation	Project	Amount Recommended
Hartley District Progress Association	Install gas heating at Hartley Historic School Hall	\$650
Hartley District Progress Association	Hartley Date Signing Project  Installation of 10 more signs and the development of a tourist promotion brochure for use in the 2016 National trust Heritage Festival.	\$2,800
Portland Development Association	Portland Spring Fair	\$1,500
<b>TOTAL</b>		<b>\$36,922</b>

3. Provides a Showground/Civic Ballroom fee waiver package to the value of \$2,500 to the Mountain Cruizers Car Club for its October 2016 Charity Car Show.
4. Allocates \$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.
5. Allocates \$10,000 from the Non-recurrent Financial Assistance allocation for four (4) fee waiver packages of up to \$2,500 each to nonprofit community groups towards the cost of hiring the Civic Ballroom and/or Tony Luchetti Showground.
6. Allocates \$2,500 from the Non-recurrent Financial Assistance allocation for Sporting Related Financial Assistance.
7. Approve an annual allocation from the Centennial Coal Community Contribution as follows:
  - a) Adventure Playground \$120,000
  - b) Scholarships for Young People and Children \$10,000
  - c) Lithgow library Homework Zone \$10,000
  - d) With 100% of any funds received in excess of \$140,000 to be allocated to the Adventure Playground and 100% of any shortfall below \$140,000 to be deducted from the Adventure Playground allocation.
8. Adopt revised Policy 4.2 Financial Assistance as presented with tracked changes.
9. Fly the Aboriginal Flag at the Council Administration Centre on a permanent basis.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-14          CORP - 18/07/16 - CRIME PREVENTION COMMITTEE MINUTES -  
20 JUNE 2016**

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**16 – 184 RESOLVED**

**THAT** Council notes the minutes of the Crime Prevention Committee held 20 June 2016.

**MOVED:** Councillor P Pilbeam

**SECONDED:** Councillor R Higlett.

**ITEM-15          EXEC - 18/07/16 - BUSINESS AND INDUSTRY INVESTMENT  
COMMITTEE - 21 JUNE 2016**

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**16 – 185 RESOLVED**

**THAT** Council:

1. Notes the Minutes of the Business and Investment Committee held on 21 June 2016
2. Adopts the Draft Terms of Reference for the Business and Industry Investment Committee.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson.

**ITEM-16          CORP -18/07/16 - TOURISM ADVISORY COMMITTEE MEETING -  
22 JUNE 16**

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**16 – 186 RESOLVED**

**THAT** Council notes the minutes of the Tourism Advisory Committee held on the 22 June 2016.

**MOVED:** Councillor R Higlett

**SECONDED:** Councillor P Pilbeam.





**QUESTIONS WITH NOTICE**

**ITEM-20 QUESTION WITH NOTICE - 18/07/16 - GIPA - INCOME AND EXPENDITURE OF LITHGOW AQUATIC CENTRE**

**REPORT BY: COUNCILLOR M TICEHURST**

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**16 – 190 RESOLVED**

**THAT** Lithgow City Councillors note the attached Lithgow City Council Government Information (Public Access) GIPA Access Application which provides:

“A full and detailed Financial Accounting Report of all the full amounts of both the Income received and all Expenditure incurred by the Lithgow City Council on the daily operations of the Council’s 25 Metre Indoor Heated Swimming Pool within the Lithgow Aquatic Centre (now known as the JM Robson Aquatic Centre) for each of the twelve individual months commencing from the 1 May 2015 and up until and including the month ending on 30 April 2016.”

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor J J McGinnes.

## **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 – 18/07/16 – COUNCILLOR W MCANDREW**

Councillor McAndrew raised matters in relation to the Lithgow Greyhound Racing Club.

### **16 – 191 RESOLVED**

**THAT** the matter of the Lithgow Greyhound Racing Club be declared as a matter of great urgency.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson

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

### **16 – 192 RESOLVED**

**THAT** Council:

1. Supports Lithgow Greyhound Racing Club
2. Arrange a meeting with representatives of Lithgow Greyhound Racing Club as a matter of urgency.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor R Thompson

There being no further business the meeting concluded at 9:01pm.