



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

31 OCTOBER 2016

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 31 OCTOBER 2016**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 65

PRESENT

His Worship the Mayor
Councillor S Lesslie
Councillor M F Ticehurst
Councillor C Coleman
Councillor G Cox
Councillor W McAndrew
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

APOLOGIES

Nil

Also in attendance

Mr Andrew Muir, Acting General Manager
Mrs Trinity Newton, Minutes Secretary
Mr Jim Nichols, Acting Group Manager Environment and Development
Mr Matthew Johnson, Acting Group Manager Corporate and Community
Mr Iain Stewart, Group Manager Operations

CONFIRMATION OF MINUTES

16 – 282 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 10 October 2016 were taken as read and confirmed.

MOVED: Councillors W McAndrew **SECONDED:** Councillors R Thompson

16 – 283 RESOLVED

Confirmation of the Minutes of the Extra Ordinary Meeting of Council held on the 19 October 2016 were taken as read and confirmed.

MOVED: Councillors W McAndrew **SECONDED:** Councillors R Thompson

16 – 284 RESOLVED

THAT the Minutes of the Extraordinary Meeting of 19 October 2016 be confirmed and that such minutes, including particulars of all motions and amendments moved, whether passed or not, the movers and seconders, and whether or not the amendments were passed, be made public.

MOVED: Councillors W McAndrew

SECONDED: Councillors M F Ticehurst

CARRIED

DECLARATION OF INTEREST

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

NIL

QUESTIONS FROM THE PUBLIC

At 7:01pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 31/10/16 – MRS BARBARA MORAN

Mrs Moran made a statement in relation to the termination of the General Manager's employment.

PROCEDURAL MOTION

THAT an extension of time be granted

MOVED: Councillors M F Ticehurst

SECONDED: Councillors W McAndrew

The Mayor thanked Mrs Moran for her statement.

PF – 31/10/16 MR JOHN KEARNS

Mr Kearns made a statement in relation to the general condition of roads and associated matters in Portland Township

The Mayor thanked Mr Kearns for his statement.

PF – 31/10/16 – MR BARRY STONE

Mr Stone made a statement in relation to fish stocking the Lithgow area.

The Mayor thanked Mr Stone for his statement.

The Acting General Manager made a statement in relation to fish stocking.

PF – 31/10/16 – MS KATRINA PRESCOTT

Ms Prescott made a statement in relation to Item 14 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted

MOVED: Councillors M F Ticehurst **SECONDED:** Councillors J Smith

The Mayor thanked Ms Prescott for her statement.

PF – 31/10/16 – MRS RENAE DIFRANCO

Mrs DiFranco made a statement in relation to Item 15.

PF – 31/10/16 – MR BARRY REID

Mr Reid made a statement in relation to the Item 15 on the agenda.

PF – 31/10/16 – MR IAN RUFUS AND JANE AITKEN

Mr Rufus and Ms Aitken made a statement in relation to item 6 on the agenda.

The Mayor thanked Mr Rufus and Ms Aitken for their statement.

PF – 31/10/16 – MR PAUL PHILLIPS

Mr Phillips made a statement in relation to Item 1 and Item 15 on the agenda.

The Mayor thanked Mr Phillips for his statement.

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PROCEDURAL MOTION

THAT Items 15 and 14 dealt with at this point in the meeting in that order.

MOVED: Councillors M F Ticehurst **SECONDED:** Councillors J Smith

AMENDMENT

THAT Items 14 and 15 dealt with at this point in the meeting in that order.

MOVED: Councillors M F Ticehurst **SECONDED:** Councillors J Smith

The **AMENDMENT** was PUT and **LOST**.

The **MOTION** was PUT and **WON**.

NOTICE OF MOTION

ITEM-15 NOTICE OF MOTION – 31/10/16 - ROLE OF MAYOR

REPORT BY: COUNCILLOR S RING

PROCEDURAL MOTION

THAT Item 15 Lay on the Table.

MOVED: Councillors M F Ticehurst **SECONDED:** Councillors W McAndrew

A **DIVISION** was called by Councillors S Ring and S Lesslie.

Divisions -

FOR

Councillor M F Ticehurst
Councillor C Coleman
Councillor G Cox
Councillor W McAndrew
Councillor J Smith
Councillor R Thompson

AGAINST

Councillor S Ring
Councillor S Lesslie
Councillor M Statham

ITEM-14 NOTICE OF MOTION – 31/10/16 - PROPOSED SUMMIT ON MENTAL HEALTH ISSUES IN LITHGOW LOCAL GOVERNMENT AREA

REPORT BY: COUNCILLOR W MCANDREW

16 – 285 RESOLVED

THAT Lithgow City Council, as a matter of urgency, convene and facilitate a Summit dedicated to determining the best possible strategy to assist those suffering mental illness by identifying exactly what services are needed for our Local Government Area, how best to ensure that these services are bought to our area and how to ensure that best practice care is available and delivered to those identified as being affected by mental health issues.

Further that this Summit should include key appropriate people/organisations including but not limited to:

- Mental Health Professionals
- Relevant Government and Non-Government Agencies
- Consumers of current services Parents and Carers

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman.

CARRIED – UNANIMOUS

MAYORAL MINUTES

ITEM-1 MAYORAL MINUTE - 31/10/16 - RECRUITMENT OF GENERAL MANAGER

16 – 286 RESOLVED

THAT Council delegate authority to the Mayor, Councillor Stephen Lesslie and Deputy Mayor, Councillor Martin Ticehurst to seek expressions of interest from three external parties to conduct a process for the recruitment of a general manager for Lithgow City Council and that Council authorised expenditure of up to \$20,000 for this purpose.

MOVED: Councillor S Lesslie

SECONDED: Councillor M F Ticehurst.

CARRIED – UNANIMOUS

GENERAL MANAGERS REPORTS

ITEM-2 GM - 31/10/16 - ACTING GENERAL MANAGER DELGATIONS REMUNERATION

16 – 287 RESOLVED

THAT Council:

1. Delegate to the Acting General Manager, Andrew Christopher Muir, the authority to exercise all discretionary functions that Council is capable of delegating and is not prohibited from so doing under section 377 of the Local Government Act, 1993, and also excluding any specific functions which Council has, by resolution, reserved to Council.
2. Delegates to the Mayor, Councillor Stephen Lesslie and Deputy Mayor, Councillor Martin Ticehurst authority to negotiate an appropriate level of remuneration to the Acting General Manager for this period.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor G Cox.

CARRIED

ITEM-3 GM - 31/10/16 - CHRISTMAS AND NEW YEAR CLOSURE

16 – 288 RESOLVED

THAT Council note the report on the Christmas and New Year Closure for the 2016/2017 period.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-4 ENVIRO – 31/10/16 - PROPOSED AMENDMENT TO LITHGOW LOCAL ENVIRONMENTAL PLAN 2014

16 – 289 RESOLVED

THAT

1. Council prepare a Planning Proposal under S.55(1) of the Environmental Planning and Assessment Act, 1979 to amend Lithgow Local

Environmental Plan to insert a new clause (*Minimum subdivision sizes for split zones*) to enable subdivision of land containing more than one zone and minimum lot size currently restricted through operation of Clause 4.1, 4.1AA and 4.2C of the Plan.

2. Council delegate the authority to refer the Planning Proposal, once drafted, to the Department of Environment and Planning for a Gateway Determination under S.56(1) of the Environmental Planning and Assessment Act, 1979 to the Acting General Manager.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith.

CARRIED

ITEM-5 ENVIRO - 31/10/16 - PROPOSED REMOVAL OF SPRINGVALE LOCALITY

16 – 290 RESOLVED

THAT Council proceed with the removal of the locality of Springvale and associated boundary adjustments to the localities of Marrangaroo and Lidsdale by notifying NSW Geographical Names Board (GNB) for approval and notification in the Government Gazette. Once completed Council will notify the appropriate landowners and authorities of the change.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

CARRIED

ITEM-6 ENVIRO - 31/10/16 - PROPOSED ROAD NAME CHANGE BRIDGE STREET TO ESKBANK STREET

16 – 291 RESOLVED

THAT the portion of road located south of the intersection of Bridge Street, Eskbank Street and Pau Street, proposed to be changed by:

1. Commencing the online road naming process for this portion of road to “Eskbank Street” (as per attached Map 4), in accordance with the NSW Addressing User Manual. This will include advertisement in the local newspaper and requesting submissions on the proposed road name change and addressing changes.
2. If submissions against the proposal are received, detail of the submissions will be reported back to a Council meeting for determination.

3. If no submissions against the proposal are received, Council will proceed with the online road naming process and gazettal of “Eskbank Street”. This includes notifying authorities and landowners of the outcome and address changes.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

CARRIED

**ITEM-7 ENVIRO – 31/10/16 - INVINCIBLE COLLIERY - SOUTHERN
EXTENSION PROJECT**

16 – 292 RESOLVED

THAT

1. The information on the proposed modification of Invincible Colliery being the Southern Extension Project be noted.
2. Council provide a submission to the Department of Planning & Environment detailing points of interest detailed in this report for their consideration and assessment of the Invincible Southern Extension Project.
3. The Mayor and Acting General Manager be a delegated authority to negotiate a Voluntary Planning Agreement seeking contributions for expenditure on local community facilities.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring.

CARRIED

**ITEM-8 ENVIRO - 31/10/16 - UPDATE OF THE JOINT USE AND
MANAGEMENT AGREEMENT FOR THE WALLERAWANG
INDOOR SPORTS STADIUM AND OTHER ASSOCIATED
MATTERS**

16 – 293 RESOLVED

THAT Council:

1. Endorse the Joint Use and Management Agreement for the Wallerawang Indoor Sports Stadium between the Minister for Education and Lithgow City Council.
2. Endorse the Licence Agreement for the car parking area at Wallerawang Public School in to be used in conjunction with the use and operation of the Wallerawang Indoor Sports Stadium.
3. Endorse the Licence Agreement for use of Council land adjoining Wallerawang Public School for school playground.

4. Endorse the Transfer Granting Easement to give effect to the Right of Carriageway over Department of Education land to provide access to the Wallerawang Indoor Sports Stadium and car parking at Wallerawang Public School.

MOVED: Councillor J Smith

SECONDED: Councillor M Statham.

CARRIED

**ITEM-9 ENVIRO - 31/10/16 - DA154/16 PSYFARI 5 DAY MUSIC FESTIVAL
2016 DEBRIEF OF EVENT**

16 – 294 RESOLVED

THAT:

1. The information from the debrief meeting of 13 October 2016 for DA154/16 Psyfari Music Festival be noted.
2. Council encourage the applicants to submit their application six months prior to the event.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

CARRIED

OPERATION REPORTS

ITEM-10 OPER - 31/10/16 - WATER REPORT

16 – 295 RESOLVED

THAT Council notes the water report.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring.

CARRIED

CORPORATE AND COMMUNITY REPORTS

ITEM-11 CORP - 31/10/16 - COUNCIL INVESTMENTS HELD TO 30 SEPTEMBER 2016

16 – 296 RESOLVED

THAT Investments of \$26,347,138.43 and cash of \$43,399.11 for the period ending 30 September 2016 be noted.

MOVED: Councillor M Statham

SECONDED: Councillor G Cox.

CARRIED

ITEM-12 CORP – 31/10/16 - SELECTIVE TENDER 05/15 - LITHGOW BLAST FURNANCE MASTERPLAN WORKS

16 – 297 RESOLVED

THAT

1. Council use the selective tendering method, pursuant to s168 of the Local Government (General) Regulation 2005, for Lithgow Blast Furnace Masterplan Works.
2. Council invite tender submissions from the following six (6) companies:
 - i. Australian Built Urban Designs
 - ii. Community Assets and Infrastructure Pty Ltd
 - iii. Coordinated Landscapes Pty Ltd
 - iv. JR Conveyors Pty Ltd
 - v. Crossgrove Pty Ltd
 - vi. Quality Management (QM) Constructions Group
3. Council note the receipt of a \$545,050 grant under the National Stronger Regions Fund Round 3 for Blast Furnace Masterplan Works and authorise the affixing of the Council seal to any necessary documentation in relation to this grant.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring.

CARRIED

**ITEM-13 CORP – 31/10/16 - REQUEST FOR RELIEF FROM EXCESS
WATER USAGE CHARGES**

16 – 298 RESOLVED

THAT Council amend the water usage tariff applied in the 3rd and 4th quarter 2015/16 to residential property 95000 from T2 to T1 reducing the amount payable by \$468.00.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman.

CARRIED

NOTICE OF MOTION

**ITEM-14 NOTICE OF MOTION – 31/10/16 - PROPOSED SUMMIT ON
MENTAL HEALTH ISSUES IN LITHGOW LOCAL GOVERNMENT
AREA**

REPORT BY: COUNCILLOR W MCANDREW

Item 14 was dealt with earlier in the meeting.

ITEM-15 NOTICE OF MOTION – 31/10/16 - ROLE OF MAYOR

REPORT BY: COUNCILLOR S RING

Item 15 was dealt with earlier in the meeting.

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 closed at 8:04pm.