



MINUTES

EXTRA ORDINARY MEETING OF COUNCIL

HELD ON

22 JANUARY 2018

AT 5.30pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL EXTRA ORDINARY MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 22 JANUARY 2018**

Meeting Commenced 5:31pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 7

PRESENT

His Worship the Mayor
Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

APOLOGIES

Nil

Also in attendance

Mr Graeme Faulkner, General Manager
Mr Andrew Muir, Director Economic Development and Environment
Mr Ross Gurney Chief Financial and Information Officer
Mr Iain Stewart, Director Operations
Mr Michael McGrath, Manager Organisational Development and Community
Mrs Trinity Newton, Minutes Secretary

DECLARATION OF INTEREST

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

Councillor S Lesslie declared a Non Pecuniary Conflict of Interest in item 3, due to the fact that he is an owner of a property adjoining. He will vacate the Chambers.

COMMEMORATIONS AND ANNOUNCEMENTS

Councillor Smith thanked Council for their help with the New Year's Eve Fireworks at Lake Wallace.

Councillor McAndrew thanked Councillor Smith for his work with the New Year Eve event.

Councillor McAndrew wished to commemorate Billy "Stomper" Staines, a former rugby league player who passed away recently.

Councillor Statham wished to commemorate the passing of Astrid Ciosmak who was a very active volunteer in the area.

PUBLIC FORUM

Nil

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GENERAL MANAGERS REPORTS

ITEM-1 GM - 22/1/18 - ALGWA CONFERENCE MARCH 2018

18-01 RESOLVED

THAT Council nominate Councillors Coleman, Statham and Goodsell to attend the ALGWA 2018 annual conference “Celebrating Rural Women” on 15th March 2018 to 17th March 2018 to be held in Gundagai, NSW.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith.

CARRIED

ITEM-2 GM - 22/01/18 - JOINT ORGANISATIONS

18-02 RESOLVED

THAT Council:

1. Not seek membership to any Joint Organisation at this time and
2. Advise the Office of Local Government of its decision.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring.

CARRIED

ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM-3 ECDEV - 22/01/18 - PLANNING AGREEMENT FOR SUBDIVISION DA225-16 1 LOT INTO 25 KIRKLEY STREET SOUTH BOWENFELS

Having made an earlier declaration of Non Pecuniary Conflict of Interest, Councillor Lesslie vacated the Chambers at 5:54pm and Councillor McAndrew assumed the chair.

18-03 RESOLVED

THAT:

1. Council endorse the Draft Voluntary Planning Agreement proposed by Tri-Firma Pty Ltd for DA225/16 being for \$138,000 in total being \$6,000 (per residential lot) to go toward community facilities and open space and \$4,500 of works in kind for the construction of a concrete cycle path 3m wide at the end of the road servicing the sewer pump station to the northern boundary

2. The Draft Voluntary Planning Agreement for the Tri-Firma Pty Ltd for DA225/16 be placed on public exhibition for a period of 28 days.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

Councillor Lesslie returned to the Chambers and resumed the chair at 5:57pm.

FINANCE AND ASSETS REPORTS

ITEM-4 FIN - 22/01/18 - COUNCIL INVESTMENT REPORT - NOVEMBER 2017

18-04 RESOLVED

THAT:

1. Investments of \$31,700,000.00 and cash of \$1,106,123.17 for the period ending 30 November 2017 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor C Coleman.

CARRIED

ORGANISATION DEVELOPMENT AND COMMUNITY

ITEM-5 COMM - 22/01/18 - STATUS UPDATE ON COUNCIL GRANT APPLICATIONS

18-05 RESOLVED

THAT Council note the report on the status of recent grant applications submitted by Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith.

CARRIED

NOTICE OF MOTION

ITEM-6 NOTICE OF MOTION - 22/01/18 - PORTLAND POOL WATER ACCOUNT

18-06 RESOLVED

THAT:

1. Council by way of donation refund an amount of \$2,916.68 to the Portland Olympic Pool Ass Inc.
2. The Mayor, Deputy Mayor and General Manager meet with the Portland Olympic Pool Ass Inc. as soon as possible to discuss options regarding future costs at the Pool.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring.

CARRIED

MATTER ARISING

Councillor Ring raised the issue of reviewing the Council water pricing structure.

Management advises a report is anticipated to go to Council at the 26 March Council meeting.

ITEM-7 NOTICE OF MOTION - 22/1/18 - TOURISM SIGNAGE FOR PORTLAND AND WALLERAWANG

RECOMMENDATION

THAT Council pursue State and Federal Funding opportunities for Tourist Destination Signs for entrances to the towns of Portland and Wallerawang from both the Castlereagh and Great Western Highways.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith.

AMENDMENT

THAT the matter of Tourist Destination Signs be referred to the Operations Committee and all avenues of funding such as Federal, State, private and Local be considered.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham.

The Amendment was **PUT** and became the **MOTION**.

18-07 RESOLVED

THAT the matter of Tourist Destination Signs be referred to the Operations Committee and all avenues of funding such as Federal, State, private and Local be considered.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham.

CARRIED

CLOSED COUNCIL

The Mayor asked if there were any objections from the Public with regards to the confidential reports being considered in closed Council.

There were Nil objections.

18-08 RESOLVED

THAT Council move into Closed Council to consider the confidential report.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED

At 6:29pm the Council resolved to move into Closed Council.

Closed Council started at 6:29pm.

CONFIDENTIAL REPORTS

ITEM-8 CONFIDENTIAL - CLOSED REPORT - OPER - 22/01/18 - CARETAKERS DEED - RENEWAL OF CONTRACT BETWEEN LCC AND LAKE LYELL RECREATION PARK LTD

PROCEDURAL MOTION

THAT Council move into a Committee of the whole.

MOVED: Councillor R Thompson

CARRIED

PROCEDURAL

THAT Council move back into a full Council.

MOVED: Councillor S Lesslie

18-10 RESOLVED

THAT

1. Council accept the offer of the five year extension effective to the 27th February 2023; and
2. Council offer \$5,000 per quarter totalling \$20,000 per annum for the works undertaken by the contractors; and
3. This be conditional upon a satisfactory resolution of the issues relating to Clause 2.1.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM-9 CONFIDENTIAL REPORT - FIN - 22/01/18 - ASSET MANAGEMENT SOLUTION

18-11 RESOLVED

THAT:

1. Council accept the quotation from TechnologyOne for Stage One of the Asset Management Solution at a cost of \$264,600.91 (excluding GST).
2. Council authorise the acceptance of a single quotation for the Asset Management Solution due to the extenuating circumstance of TechnologyOne's

provision of the Council's enterprise solution for its information technology requirements.

3. The General Manager be authorised to sign the resulting contract and any related documentation under delegated authority.
4. Council prioritise Stage Two of the Asset Management Solution and ensure it is included in the 2018/19 budget, a report will be prepared in mid-2018 to seek acceptance of the quotation.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham.

CARRIED

**ITEM-10 CONFIDENTIAL COUNCIL - ECDEV - 22/01/18 - LAKE LYELL
CONTRACT STATUTORY COMPLIANCE**

18-12 RESOLVED

THAT council note that negotiations are continuing with the contractor to resolve the issues of non compliance with the provisions of the contract and the *Environmental Planning and Assessment Act*.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

At 7:01pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED

The Mayor announced the recommendations of the Closed Council.

**ITEM-8 CONFIDENTIAL - CLOSED REPORT - OPER - 22/01/18 - CARETAKERS
DEED - RENEWAL OF CONTRACT BETWEEN LCC AND LAKE LYELL
RECREATION PARK LTD**

RESOLVED

THAT

1. Council accept the offer of the five year extension effective to the 27th February 2023; and
2. Council offer \$5,000 per quarter totalling \$20,000 per annum for the works undertaken by the contractors; and

3. This be conditional upon a satisfactory resolution of the issues relating to Clause 2.1.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM-9 CONFIDENTIAL REPORT - FIN - 22/01/18 - ASSET MANAGEMENT SOLUTION

RESOLVED

THAT:

1. Council accept the quotation from TechnologyOne for Stage One of the Asset Management Solution at a cost of \$264,600.91 (excluding GST).
2. Council authorise the acceptance of a single quotation for the Asset Management Solution due to the extenuating circumstance of TechnologyOne's provision of the Council's enterprise solution for its information technology requirements.
3. The General Manager be authorised to sign the resulting contract and any related documentation under delegated authority.
4. Council prioritise Stage Two of the Asset Management Solution and ensure it is included in the 2018/19 budget, a report will be prepared in mid-2018 to seek acceptance of the quotation.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham.

CARRIED

ITEM-10 CONFIDENTIAL COUNCIL - ECDEV - 22/01/18 - LAKE LYELL CONTRACT STATUTORY COMPLIANCE

RESOLVED

THAT council note that negotiations are continuing with the contractor to resolve the issues of non compliance with the provisions of the contract and the *Environmental Planning and Assessment Act*.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

18–13 RESOLVED

THAT Council adopt the recommendations of the closed Council.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED

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.*

Councillor Thompson raised the issue of proposed burning of waste (Waste to Energy) at Mt Piper Power Station.

The General Manager gave advice on this matter.

Councillor McAndrew raised the issue of Wallerawang Power Station and their proposed plans to establish an asbestos dump at the site.

Management advised that a meeting with Energy Australia is scheduled for mid-February 2018 where both questions will be raised.

Cr Lesslie raised a questions in relation to a Tarana Restaurant and the rumours that Council is closing the restaurant due to the toilets.

Management gave advice on this issue and is under the understanding that the restaurant in question has been working outside of the terms of it's development consent and that no actions have been taken by Council to close the restaurant.

There being no further business the Mayor declared the meeting closed at 7:16pm.