



MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

23 JULY 2018

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 23 JULY 2018**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 20

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, Acting Director Economic Development and Environment
Mr Ross Gurney, Chief Financial and Information Officer
Mr Daniel Buckens, Executive Director Water and Wastewater
Mr Jonathon Edgecombe, Executive Manager Operations
Mr Michael McGrath, Executive Manager People and Services
Mrs Trinity Newton, Minutes Secretary

CONFIRMATION OF MINUTES

18 – 183 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 25 June 2018 were taken as read and confirmed by Councillors C Coleman and S Ring

DECLARATION OF INTEREST

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

Councillor S Lesslie declared a Pecuniary interest in item 10, due to being the owner of the property. He will vacate the Chambers.

Councillor S Lesslie declared a Non Pecuniary interest in item 26, due to him being nearby resident. He will vacate the Chambers.

Councillor R Thompson declared a Conflict of Interest in item 9, due to the issue affecting his property. He will remain in the Chambers.

COMMEMORATIONS AND ANNOUNCEMENTS

Cr Lesslie commemorated the passing of Mr Ron Murphy who was the RSL Sub Branch President Lithgow attended every possible Council Meeting and many public events.

Cr Statham commemorated the passing of Mr Ron Gunn who passed away recently and was an active member of the community.

Cr Statham commemorated the passing of Mr Graeme Blakeley who also was an active member of the community.

Cr Statham requested that the public donate to Nathan Doggett who had a car accident recently.

Cr Statham acknowledged Roxanne Van Veen and Lachie Sharpe who represented Australia in Hockey.

Cr Coleman acknowledged Terry O'Keefe the Lithgow Library Manager who is leaving Lithgow and wished her all the luck and thanked her for doing a great job for Lithgow.

Cr Thompson acknowledged Daniel Buckens who commenced working with Council recently.

Cr Lesslie – Announced that there is a Citizenship ceremony being held Monday 30 July at 2 pm at Eskbank House and invited everyone to attend.

PUBLIC FORUM

At 7:07 pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 23/7/18 – MR JOHN KEARNS

Mr Kearns made a statement in relation to Range Road and Great Western Hwy road safety problems and with Kangaroos in Portland area.

The Mayor thanked Mr Kearns for his statements.

PF – 23/7/18 – MRS GAYE MASON

Mrs Mason made a statement in relation to LED street lighting.

The Mayor thanked Mrs Mason for her statement.

PF – 23/7/18 – MRS GAYE MASON

Mrs Mason made a statement in relation to litter at the Return and Earn facility.

The Mayor thanked Mrs Mason for her statement.

PF – 23/7/18 – MRS SUE GRAVES

Mrs Graves made a statement in relation to Item 9 and Item 24 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Graves.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

The Mayor thanked Mrs Graves for her statements.

PF – 23/7/18 – LYN MICKELSON

Mrs Mickelson made a statement in relation to Item 24 on the agenda.

The Mayor thanked Mrs Mickelson for her statement.

The Mayor informed the Council that the corrected report on Item 16 has been issued and will be discussed and noted that the recommendation remained unchanged.

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GENERAL MAYORAL MINUTE

ITEM-1 MAYORAL MINUTE- 23/07/18 - PUBLIC LIBRARY FUNDING

REPORT BY: MAYOR – CR STEPHEN LESSLIE

18 – 184 RESOLVED

THAT Council:

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Make representation to the Local State Member, Paul Toole, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
3. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
4. Take a leading role in activating the campaign locally.
5. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
6. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED – Unanimously

GENERAL MANAGERS REPORTS

ITEM-2 GM - 23/07/18 - GOVERNANCE POLICY REVIEW

18 – 185 RESOLVED

THAT alterations to the following Policies as outlined in the attached versions be adopted and implemented immediately:

- Policy 9.1 Apologies by Council
- Policy 9.2 Business Ethics - be deleted as all requirements are contained in the Code of Conduct and ICAC Legislation, and are binding.

MOVED: Councillor S Ring

SECONDED: Councillor R Thompson

CARRIED – Unanimously

ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM-3 ECDEV - 23/07/18 - LEASE TO DEPARTMENT OF HUMAN SERVICES

18 – 186 RESOLVED

THAT Council provide an additional 2 year option term under the Lease to the Department of Human Services from 1 October 2022 to 30 September 2024.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring

CARRIED – Unanimously

ITEM-4 ECDEV- 23/07/18- PLANNING PROPOSAL- 88 PIPERS FLAT ROAD WALLERAWANG

18 – 187 RESOLVED

THAT

1. Council supports the preparation of a Planning Proposal for Lot Y DP 407106, being 88 Pipers Flat Road Wallerawang to amend Lithgow Local Environment Plan 2014 as follows:
 - a. amend the land zone of the site from R5 Large Lot Residential to R2 Low Density Residential;
 - b. amend the lot size from 2ha to 800m²; to enable the subdivision of the land for residential purposes.
2. The Planning Proposal documentation once prepared be forwarded to the Western Region office of NSW Department of Planning and Environment for a Gateway Determination.
3. Council advise NSW Department of Planning and Environment that it proposes to seek approval to use its delegated functions under S. 3.36(2)-(4) of the Act to make the plan following compliance with a Gateway Determination.
4. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED - Unanimously

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Divisions

FOR

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

AGAINST

Nil

**ITEM-5 ECDEV - 23/07/18 - ENERGY AUSTRALIA COMBINED WESTERN
COMMUNITY REFERENCE GROUP & PINEDALE COMMUNITY
CONSULTATIVE**

18 – 188 RESOLVED

THAT

1. Council note the formation of combined Energy Australia Western Community Reference Group and Pinedale Community Consultative Committee into one Community Consultative Committee (CCC) to be known as the Energy Australia Lithgow Region Community Consultative Committee.
2. Councillor Thompson be appointed as the Council representative for the combined Committee.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodsell

CARRIED – Unanimously

ITEM-6 ECDEV - 23/07/18 - CROWN LAND REFORMS UPDATE

18 – 189 RESOLVED

THAT:

1. The report on Crown Land legislation reforms including responsibilities as Crown Land Managers and potential impacts, in particular Native Title responsibilities, be noted.
2. The General Manager request a detailed report from Crown Lands to identify how Council can effectively deal with the matters and if there is any financial assistance available to Council to implement this.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED – Unanimously

ITEM-7 ECDEV - 23/07/18 - DA12418 - PROPOSED DWELLING HOUSE &
 VARIATION TO DEVELOPMENT STANDARD - LOT 1 DP 330666, 208 INCH
 STREET LITHGOW NSW 2790

18 – 190 RESOLVED

THAT

1. Development Consent be granted to Development Application (DA124/18), subject to:
 - a) The conditions specified in the attached Section 4.15 (79C) Assessment Report, following point (b) below.
 - b) Concurrence being granted from the NSW Department of Planning and Environment (DPE) for the proposed variation to development standard 4.2A under Clause 4.6 of *Lithgow Local Environmental Plan 2014*, in accordance with Planning Circular, PS 18-003, issued on 21 February 2018.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED – Unanimously

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Divisions

FOR

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

AGAINST

Nil

ITEM-8 **ECDEV - 230718 - WALLERAWANG ASH REPOSITORY MODIFICATION 1 - WALLERAWANG POWER STATION.docx**

18 – 191 RESOLVED

THAT The information in the report on the Wallerawang Ash Repository Mod 1 Draft Conditions be NOTED.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-9 **ECDEV- 23/07/18- PIGEON CONTROL LITHGOW CBD**

Cr Thompson declared a conflict of interest as his premises suffered from the effect of pigeons and remained in the Chambers.

18 – 192 RESOLVED

THAT an education and information campaign be carried out by writing to property owners in the Lithgow CBD precinct advising of Pigeon control techniques such as Exclusion (netting, bird spikes, gutter guards); Nest Destruction; Covering Bins; and refraining from feeding pigeons.

MOVED: Councillor C Coleman

SECONDED: Councillor M Statham

CARRIED – Unanimously

OPERATION REPORTS

ITEM-10 **OPER 23/07/18 OPERATIONS CAPITAL BUDGET REALLOCATION**

Due to an earlier declaration the Mayor vacated the Chambers and the Deputy Mayor assumed the chair at 7:50 pm.

18 - 193 RESOLVED

THAT Council:

1. Note the report; and
2. Approve the reallocation of \$37,881 from PJ100294 to fund the construction of improved stormwater infrastructure in the vicinity of 12 Kirkley Street, Lithgow in 2018/19 at an expected cost of \$37,000.00.

MOVED: Councillor C Coleman **SECONDED:** Councillor S Ring

CARRIED

The Mayor returned to the Chambers and resumed the Chair at 7:52 pm.

WATER AND WASTEWATER REPORTS

ITEM-11 WWW - 23/07/18 - WATER REPORT

18 – 194 RESOLVED

THAT:

1. Council note the water report.
2. The General Manager brings a report to Council regarding a review of the trigger mechanism for moving through restriction levels and that Council determine the restriction levels.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

CARRIED – Unanimously

ITEM-12 WWW - 23/07/18 - DELEGATION TO THE GENERAL MANAGER FOR ACCEPTANCE OF TENDERS

18 – 195 RESOLVED

THAT:

1. Council delegate the General Manager authority to accept Council tenders with a Contract value of up to \$500,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met; and
2. The Council delegate the General Manager authority to execute the resulting contract and any associated documentation under this delegation; and
3. If required, the relevant amendments to Policy 1.4 – Tendering be adopted and implemented immediately.
4. The General Manager report to each Council meeting on the tenders that he has authorised and that the Mayor be advised of each tender determined by the General Manager. This be carried out for a trial period of 6 months.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED – Unanimously

ITEM-13 WWW - 23/07/18 - WATER AND WASTEWATER POLICY REVIEW

18 – 196 RESOLVED

THAT

1. The Draft Policy 3.1 - Water Service and Meter Installation be put on public exhibition for 28 days; and
2. Upon closure of this period the results of the public exhibition be reported to Council for consideration.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED – Unanimously

FINANCE AND ASSETS REPORTS

ITEM-14 FIN - 23/07/18 - COUNCIL INVESTMENTS REPORT JUNE 2018

18 – 197 RESOLVED

THAT:

1. Investments of \$33,550,000.00 and cash of \$607,869.40 for the period ending 30 June 2018 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

MOVED: Councillor C Coleman

SECONDED: Councillor M Statham

CARRIED – Unanimously

PEOPLE AND SERVICES REPORTS

**ITEM-15 P&S - 23/07/18 - INSPECTION & MAINTENANCE OF FOOTPATHS AND
CYCLE WAYS**

18 – 198 RESOLVED

THAT:

1. Council endorse Draft Policy 9.19 Inspection, Evaluations and Maintenance of Footpaths and Cycle ways for Lithgow City Council for public exhibition and comment and display for 28 days.
2. Following the exhibition period the policy be returned to Council for adoption.

MOVED: Councillor S Ring **SECONDED:** Councillor J Smith

CARRIED – Unanimously

ITEM-16 P&S - 23/07/18 - FINANCIAL ASSISTANCE

18 – 199 RESOLVED

THAT

1. Revised Policy 4.2 Financial Assistance be adopted
2. Policy 4.3 Financial Assistance to Community Groups and organisations - Low Interest loans be deleted.
3. Policy 4.4 Requests for Financial assistance by Waiving of Fees for Council Facilities be deleted.
4. Council allocate \$750 to schools in the Lithgow Local Government Area for end of year academic prizes of \$50 per school.
5. Council allocate \$48,242 Round 1 Non-Recurrent Financial Assistance to the following 20 projects.

	Organisation	Project Outline	Amount Recommended
1	Lithgow Community Projects Music Group	A program aimed at engaging vulnerable young people (who have experienced violence and abuse) with a therapeutic focus using Rhythm to Recovery.	\$1,000
2	LINC Local sewing group Boomerang Bags Lithgow	Produces reusable bags from recycled fabric to help reduce the use of single-use plastic bags, reduce waste to land fill, and create a platform to discuss recycling, sustainability and caring for the environment. storage cupboard.	\$1,500
3	Rydal AH & P Society Heavy Horse & Yard Dog 2018	Sponsorship for the 2019 Rydal Show – Heavy Horse & Yard Dog sections. Sponsorship will go towards prize money for each section.	\$1,000
4	Lithgow District Car Club Rate Reimbursement	Rate Reimbursement - Yvonne Martyn Memorial Motor Sport Park	\$1,000
5	Lithgow City Band 1918 Back from the Brink	Funding to host a 1918 Back from the Brink event, a theatrical production combining a play and various musical items to celebrate the centenary of the Armistice in 1918.	\$1,000

	Organisation	Project Outline	Amount Recommended
6	Mingaan Wiradjuri Aboriginal Corporation NAIDOC Week 2018	To celebrate and acknowledge the rich and diverse contribution of the local Aboriginal culture, and provide a platform for education and cultural exchange experiences for the broader community.	\$3,000
7	Lithgow Cares Coalition Information sessions, Community Fun Days, and Professional Development	The Lithgow Cares Coalition organises community fun days across the LGA and provides professional development opportunities for people who work in the child care sector, education, health and domestic violence to ensure quality services are provided.	\$3,000
8	LINC Communities and Kids Circle of Security Parenting Program	Funding to roll out an 8 week parenting program known as "Circle of Security" (COS)., a relationship-based early intervention program designed to enhance attachment security between parents and children.	\$3,000
9	Tarana Tanker Trailers Inc. Tanker Trailer Registration	Funding to register 13 trailers, 12 for safe use in fighting fires, and one equipped with fast fill pump to take to source of water and used to fast fill fire trucks.	\$1,200
10	First Australian Muzzle Loading Gun Rifle Pistol Club Inc.	Rate reimbursement	\$1,000
11	Wallerawang Branch of the Central Acclimatization Society Go Fish Australia Day	To host Go Fishing Australia event in 2019, a fun and educational event. Last year there were over 500 attendees.	\$1,500

	Organisation	Project Outline	Amount Recommended
12	The City of Greater Lithgow Mining Museum Power to the Pavilion	Provide an electricity supply to the Pavilion to make it more useful for community groups and events. The project also intends to provide sufficient capacity to support planned museum developments, such as a 3D virtual underground mine. Quote attached.	\$1,800
13	Lithgow Community Projects White Ribbon Trivia Night	To host a Trivia Night and White Ribbon Walk against violence. Both events are extremely positive in engaging community members in discussion and raising awareness of domestic and family violence and the message of the White Ribbon Campaign.	\$1,000
14	LINC Rental Assistance	Partial offset of the annual rent that Council charges for the Padley st premises. The grant will assist LINC to provide essential support and social development services to disadvantaged members of the Lithgow community.	\$10,450
15	Western Region Academy of Sport	Funding to provide western region pre-elite junior athletes with pathways to higher rep levels in their chosen sport.	\$1,192
16	Lithgow Tidy Towns Copper Winged Butterfly – installed in Kip McGrath Alcove	To cover the costs of manufacturing and installing a large butterfly sculpture by local artists Tim Johnman & Steve Cunningham in the Kip McGrath alcove.	\$2,500
17	Wallerawang Tidy Towns Purchase seats for Lake Wallace and Lidsdale park.	Tidy towns projects	\$1,025
18	Cullen Bullen Tidy Towns Weather cover for existing table and seat bench setting	Skip Line Memorial	\$1,050

	Organisation	Project Outline	Amount Recommended
19	Portland Tidy Towns Funding to assist with ongoing expenses	Tidy Towns projects	\$1,025
20	Arts out West	Contribution to regional arts organization that supports local artists and cultural groups	\$10,000
	TOTAL		\$48,242

6. \$1500 be allocated to the Rydal Daffodil Festival.
7. \$1200 be allocated to Clarence Dargan RFS.
8. The Arts Out West amount be deferred until the General Manager can investigate and bring back a report to the August Council on the material benefits to the Local area.

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

CARRIED – Unanimously

A **DIVISION** was called by Councillors C Coleman

Divisions

FOR

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

AGAINST

Nil

ITEM-17 P&S - 23/07/18 - SIGNS AS REMOTE SUPERVISION

18 – 200 RESOLVED

THAT:

1. Council endorse Draft Policy 9.18 Signs As Remote Supervision for Lithgow City Council for public exhibition and comment and display for 28 days.
2. Following the exhibition period the policy and Management Plan be returned to Council for adoption.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED – Unanimously

COUNCIL COMMITTEE MINUTES

ITEM-18 ECDEV- 23/07/18- LITHGOW LOCAL HERITAGE ADVISORY COMMITTEE MEETING MINUTES - 21 JUNE 2018

18 – 201 RESOLVED

THAT the minutes of the Lithgow Local Heritage Advisory Committee held on the 21 June, 2018 be noted.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring

CARRIED – Unanimously

ITEM-19 FIN - 23/07/18 - AUDIT COMMITTEE MEETING MINUTES 22 JUNE 2018

18 – 202 RESOLVED

THAT Council:

1. Note the CTA Audit Committee June meeting minutes; and
2. Endorse the amended CTA Audit Committee Charter.

MOVED: Councillor S Lesslie **SECONDED:** Councillor S Ring

CARRIED – Unanimously

ITEM-20 ECDEV - 23/07/18- ECONOMIC DEVELOPMENT COMMITTEE MINUTES OF
4 July 2018

18 – 203 RESOLVED

THAT the recommendations of the Economic Development Committee meetings of 4 July 2018 be adopted.

MOVED: Councillor R Thompson

SECONDED: Councillor D Goodwin

CARRIED – Unanimously

ITEM-21 FIN - 23/07/18 - FINANCE COMMITTEE MEETING MINUTES 9 JULY 2018

18 – 204 RESOLVED

THAT Council:

1. Note the minutes of the Finance Committee held on 9 July 2018 and the items not requiring a resolution of Council;
2. Note the Committee's endorsement of recommendations proposed in the Finance and Assets business papers to be put to the July Council meeting.
3. Endorse the recommendations proposed in the Audit Committee Meeting Minutes 22 June 2018 Report.

MOVED: Councillor R Thompson

SECONDED: Councillor C Coleman

CARRIED – Unanimously

ITEM-22 P&S - 23/07/18 - MINUTES OF COMMUNITY DEVELOPMENT COMMITTEE
MEETING OF 10 JULY 2018

18 – 205 RESOLVED

THAT Council notes the Minutes of the Community Development Committee Meeting held on 10 July 2018.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-23 OPER - 23/07/18 - SPORTS ADVISORY COMMITTEE MEETING MINUTES
11 JULY 2018

18 – 206 RESOLVED

THAT

1. Council note the Minutes of the Sports Advisory Committee Meeting held 11 July 2018; and
2. Council provide Emily Thompson with \$300.00 toward the cost of participating in the 16yrs All School Girls Hockey Team; and
3. Council provide Maggie Thompson with \$300.00 toward the cost of participating in the 12yrs NSW State Girls Hockey Team.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Lesslie

CARRIED – Unanimously

NOTICE OF MOTION

ITEM-24 NOTICE OF MOTION - 23/07/18 - MARJORIE JACKSON STATUE

REPORT BY: COUNCILLOR MAREE STATHAM

MOTION

THAT Council relocate the Marjorie Jackson statue in the Plaza, back to its original position and at a height that is more suitable.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

The Motion was PUT and **LOST**

A **DIVISION** was called by Councillors M Statham

Divisions

FOR

Councillor M Statham
Councillor D Goodwin

AGAINST

Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor S Ring
Councillor J Smith
Councillor R Thompson

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.*

Cr McAndrew raised the issue of a Group proposing to extend Gardens of Stone Stage 2, impact on Airly and Baal Bone mines.

Cr McAndrew reminded Council of the standing policy which opposed any expansion of the Gardens of Stone.

The Mayor noted Councillor McAndrew's advice and indicated that at any meeting with any groups he will request that they consult with local mine operators and local mining representative bodies.

The Mayor declared that the issue not be a business of great urgency.

The Mayor adjourned the meeting for 5 minutes at 9:03 pm.

The meeting was re-convened at 9:13 pm.

CLOSED COUNCIL

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

There were Nil objections.

18 – 207 RESOLVED

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

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED

At 9:13 pm the Council resolved to move into Closed Council.

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED

Closed Council started at 9:13 pm.

CONFIDENTIAL REPORTS

ITEM-25 **CONFIDENTIAL - CLOSED REPORT - ECDEV- 23/07/18 - VARIOUS UNSOLICITED REQUESTS IN RELATION TO COUNCIL LAND**

18 – 208 RESOLVED

THAT Council:

1. Supports in principle the sale of Part Lot 68 DP 813538 having an area of approximately 1.085ha to Metromix Pty Ltd. The General Manager or his delegate be authorised to continue on a direct negotiation basis the terms and conditions of that sale with a final report to be presented to Council including a full probity plan.
2. Supports in principle the sale of Lot 2 DP 28230 subject to the location and requirement for service easements being addressed. The sale method is to be a competitive market process undertaken by Council's appointed agent with the results being reported back to Council for final resolution.
3. Advises the Lithgow Uniting Church Joint Church Council that it is not willing to enter into any dealings in relation to Lot 60 DP 233567 at this time pending a full audit and service review of Council's property portfolio and the preparation of a property strategy.
4. Advises Nav Singh that Council is not willing to consider the sale of any of the 11 properties, the subject of the offer, at this point in time pending a full audit and service review of Council's property portfolio and the preparation of a property strategy.
5. Advises the parties in 3 and 4 above that if and when Council is in a position to consider the disposal of the lands identified that such will be conducted through a competitive market process undertaken by Council's appointed agent.
6. Request the Uniting Church to present their ideas at an informal information session with Council.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED – Unanimously

ITEM-26 **ECDEV- 23/07/18 - CLOSED REPORT- CONFIDENTIAL - UNSOLICITED REQUESTS TO PURCHASE PRIVATE LAND**

Due to a previous declaration the Mayor vacated the Chambers and the Deputy Mayor assumed the Chair at 9:19 pm.

18 – 209 RESOLVED

THAT

1. The General Manager or his delegate be authorised to enter into further discussions with Trinity Heights in relation to the potential purchase of all or part of the site.
 2. A full due diligence process as outlined in this report be undertaken to identify the feasibility of the proposal and the likely financial and reputational risks of Council to further inform Council's decision making process.
 3. Upon completion of due diligence process as outlined above a further report will be provided to Council.
-

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED - Unanimously

The Mayor returned to the Chambers and resumed the Chair at 9:24 pm.

ITEM-27 CONFIDENTIAL - CLOSED REPORT - WWW - 23/07/18 - WATER MAINS REPLACEMENT TENDER

18 – 210 RESOLVED

THAT

1. Council, in accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from Bedrule Pty Ltd for the Replacement of the Bridge Street Water Mains for the amount specified in the tendered schedule of rates.
2. Council's General Manager be authorised to execute the contract on behalf of Council under delegated authority.

MOVED: Councillor R Thompson

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-28 CONFIDENTIAL - CLOSED REPORT - WWW - 23/07/18 - EXEMPTION FROM WATER CHARGES

18 – 211 RESOLVED

THAT the matter be deferred and that the General Manager brings back a full report on the history and impacts of claims of this kind and the need for a new policy to cover such issues.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED – Unanimously

At 9:33 pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED

The Mayor vacated the Chambers due to an earlier declaration. The Deputy Mayor assumed the Chair at 9:34 pm.

The General Manager reported the recommendations of the Closed Council.

**ITEM-25 CONFIDENTIAL - CLOSED REPORT - ECDEV- 23/07/18 - VARIOUS
UNSOLICITED REQUESTS IN RELATION TO COUNCIL LAND**

THAT Council:

1. Supports in principle the sale of Part Lot 68 DP 813538 having an area of approximately 1.085ha to Metromix Pty Ltd. The General Manager or his delegate be authorised to continue on a direct negotiation basis the terms and conditions of that sale with a final report to be presented to Council including a full probity plan.
2. Supports in principle the sale of Lot 2 DP 28230 subject to the location and requirement for service easements being addressed. The sale method is to be a competitive market process undertaken by Council's appointed agent with the results being reported back to Council for final resolution.
3. Advises the Lithgow Uniting Church Joint Church Council that it is not willing to enter into any dealings in relation to Lot 60 DP 233567 at this time pending a full audit and service review of Council's property portfolio and the preparation of a property strategy.
4. Advises Nav Singh that Council is not willing to consider the sale of any of the 11 properties, the subject of the offer, at this point in time pending a full audit and service review of Council's property portfolio and the preparation of a property strategy.
5. Advises the parties in 3 and 4 above that if and when Council is in a position to consider the disposal of the lands identified that such will be conducted through a competitive market process undertaken by Council's appointed agent.
6. Request the Uniting Church to present their ideas at an informal information session with Council.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED – Unanimously

**ITEM-26 ECDEV- 23/07/18 - CLOSED REPORT- CONFIDENTIAL - UNSOLICITED
REQUESTS TO PURCHASE PRIVATE LAND**

THAT

1. The General Manager or his delegate be authorised to enter into further discussions with Trinity Heights in relation to the potential purchase of all or part of the site.
2. A full due diligence process as outlined in this report be undertaken to identify the feasibility of the proposal and the likely financial and reputational risks of Council to further inform Council's decision making process.
3. Upon completion of due diligence process as outlined above a further report will be provided to Council.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED - Unanimously

ITEM-27 CONFIDENTIAL - CLOSED REPORT - WWW - 23/07/18 - WATER MAINS REPLACEMENT TENDER

THAT

1. Council, in accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from Bedrule Pty Ltd for the Replacement of the Bridge Street Water Mains for the amount specified in the tendered schedule of rates.
2. Council's General Manager be authorised to execute the contract on behalf of Council under delegated authority.

MOVED: Councillor R Thompson

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-28 CONFIDENTIAL - CLOSED REPORT - WWW - 23/07/18 - EXEMPTION FROM WATER CHARGES

THAT the matter be deferred and that the General Manager brings back a full report on the history and impacts of claims of this kind and the need for a new policy to cover such issues.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED – Unanimously

18 – 212 RESOLVED

THAT Council adopt the recommendations of the closed Council.

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED

There being no further business the meeting closed at 9:37 pm.