



MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

27 AUGUST 2018

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 27 AUGUST 2018**

Meeting Commenced 7.01pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 23

PRESENT

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

APOLOGIES

An apology was received from and leave of absence granted to Councillor S Ring who is unable to attend due to his attendance at a Governance training course in Sydney.

MOVED: Councillor R Thompson **SECONDED:** Councillor D Goodsell

CARRIED

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, Acting Director Water and Wastewater
Mr Jonathon Edgecombe, Executive Manager Infrastructure and Services
Mr Michael McGrath, Acting Executive Manager People and Services
Mrs Trinity Newton, Minutes Secretary

CONFIRMATION OF MINUTES

18-213 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 23 July 2018 were taken as read and confirmed by Councillors C Coleman and W McAndrew

CARRIED

DECLARATION OF INTEREST

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

Councillor C Coleman declared a Pecuniary Interest in item 8, due to the applicant being a business associate of her husband. She will vacate the Chambers.

Councillor M Statham declared a Non Pecuniary Interest in item 4 due to the fact that the item was in relation to her. She will vacate the Chambers.

Councillor M Statham declared a Pecuniary in item 8, due to the applicant being a relative. She will vacate the Chambers.

Councillor R Thompson declared a Pecuniary in item 20, due to the item affecting a property he owns. He will vacate the Chambers.

COMMEMORATIONS AND ANNOUNCEMENTS

Cr McAndrew commemorated the passing of Judy McDonald, Sister of Tim LeFevre.

Cr Statham commemorated the passing of Michelle Roebuck who passed away suddenly and was a well-known nurse at the Lithgow Hospital for many years.

Cr Coleman congratulated the following for awards received at the WRAS Annual Awards:

- Kade Inwood – WRAS Annual Chairmen’s Award
- Emily Thompson – Hockey Excel in Sport
- Melehe Jenkins – Squad Athlete of the Year for Basketball.

Cr Coleman congratulated the following teams who were the winners of the Western District Mines Rescue Competition:

- First – Springvale Team
- Second - Airly Team

Cr Lesslie announced that Eskbank House has been recently announced to have been placed on the State Heritage Register.

PUBLIC FORUM

At 7:05 pm Members of public gallery were invited to participate in the Public Forum Session.

PF – 27/08/18 – MS TRACEY ISAACSON

Ms Isaacson made a statement regarding the Mayoral Elections.

The Mayor thanked Ms Isaacson for her statement.

PF – 27/08/18 – MRS SUZANNE CARSON

Mrs Carson made a statement in relation to the grass length on the Great Western Highway, street trees in Ordnance Avenue, and blackberries along the rail line.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Carson.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

The Mayor thanked Mrs Carson for her statement.

PF – 27/08/18 – MRS SUE GRAVES

Mrs Graves made a statement on Item 21 and Item 24 on the agenda.

The Mayor thanked Mrs Graves for her statements.

PF – 27/08/18 – MRS TAMMY SCOTT

Councillors Statham and Coleman vacated the chambers due to a previous declaration of interest on the item at 7:13 pm.

Ms Scott made a statement on Item 8 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Scott.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

The Mayor thanked Mrs Scott for her statement.

Councillors Statham and Coleman returned to the Chambers at 7:18 pm.

Councillor Thompson sought a ruling from the Mayor on the necessity for Councillors to vacate the Chambers during Public Forum when a conflict of interest has been declared.

The Mayor ruled that the conflict of interest declaration and whether a councillor remains in the chamber is a matter for the individual councillors.

The Mayor asked Councillor Statham if she wished to withdraw Item 19 on the grounds that it had been previously dealt with by the administration.

Councillor Statham indicated that she did not wish to withdraw the Item.

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MAYORAL MINUTES

ITEM-1 MAYORAL MINUTE - 27/08/18 - LITHGOW FARMING COMMUNITY DROUGHT ASSISTANCE

REPORT BY: **COUNCILLOR STEPHEN LESSLIE**

18-214 RESOLVED

THAT Council:

1. Ask the State and Federal Governments provide grant funds to affected farmers in lieu of no interest and low interest loans, both of which have the effect of increasing the indebtedness of farmers in a climate where they have no capacity to service the loans, and consequently increase the likelihood of farm loss in the medium term to lenders.
2. Note the advice of local farmers that the shortage of water is impacting the quality of fruit and vegetables grown such that they are not competitive with imported produce. Should this trend continue food security for NSW will be affected as consumers and retailers increase their dependency on imported foods and there needs to be a willingness by Australian consumers to purchase Australian grown produce for the industry to survive.
3. Canvass support from regional and rural Councils to develop a NSW and Australian food security strategy and education campaign to raise the profile of these issues with Australian consumers and retailers.
4. Call on both Federal and NSW State Governments to refine the assistance distribution networks to farmers so that relevant financial and other assistance is properly administered, targeted and distributed as efficiently as possible, avoiding wastage and best intentioned assistance that is of limited relevance for farming families and communities.
5. Publicise the information available to farmers on our web site.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

GENERAL MANAGERS REPORTS

ITEM-2 GM - 27/08/18 - TENDER DELEGATIONS REPORT

18-215 RESOLVED

THAT the:

1. Council note that there were no exercised delegations to approve tenders between 24 July and 22 August 2018.
2. Report only be brought to Council when the delegation has been exercised.

MOVED: Councillor S Lesslie **SECONDED:** Councillor R Thompson

CARRIED – Unanimously

ITEM-3 GM - 27/08/18 - RETURNS UNDER SEC 449 - LG ACT 1993 DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED

18-216 RESOLVED

THAT Council Note the:

1. Report on Disclosure of Interests under Section 449 of the Local Government Act 1993 for the period 1 July 2017 to 30 June 2018
2. Relevant forms have been issued to all councillors and designated staff
3. Returns are to be provided to the General Manager by no later than 30 September 2018.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED - Unanimously

ITEM-4 GM - 27/08/18 -FINALISATION OF CODE OF CONDUCT COMPLAINT

Due to a previously declaration of interest Cr Statham vacated the chambers at 7:35 pm.

18-217 RESOLVED

THAT Council note the investigation into the complaint lodged by the former General Manager on the 5th June 2018 has been finalised.

MOVED: Councillor D Goodwin

SECONDED: Councillor J Smith

CARRIED - Unanimously

Cr Statham returned to the Chambers at 7:36 pm.

ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

ITEM-5 ECDEV - 27/08/18 - CROWN LAND REFORMS - FUNDING AND TRAINING ASSISTANCE TO PRODUCE PLANS OF MANAGEMENT

18-218 RESOLVED

THAT Council:

1. Notes the funding allocation of \$39,597 from Office of Local Government to assist with developing compliant Crown land plans of management and the update on training and information.
2. Authorise the General Manager to draft a motion on cost shifting for submission to the Local Government Conference and circulate the draft motion to Councillors for approval.

MOVED: Councillor C Coleman

SECONDED: Councillor R Thompson

CARRIED – Unanimously

ITEM-6 ECDEV - 27/08/18 - DA17118 - PROPOSED 12 APARTMENTS AND 3 TOWNHOUSES, 1A HIGH STREET LITHGOW

18-219 RESOLVED

THAT:

1. The calling in of Development Application DA171/18 be noted.
2. An onsite meeting be organised with Councillors, Staff, developers, proponent and neighbours, prior to back coming to Council.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

ITEM-7 ECDEV - 27/08/18 - LAND ACQUISITION AND DISPOSAL POLICY

18-220 RESOLVED

THAT

1. Council place Draft Policy 1.6 'Land Acquisition and Disposal Policy' on public exhibition for a period of 28 days.
2. Following the exhibition period, draft Policy 1.6 is returned to Council for adoption, with details of any submissions made during the exhibition period and any recommendations or amendments that may come from the submissions.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

CARRIED – Unanimously

**ITEM-8 ECDEV - 27/08/18 - PROPOSED SOLID FUEL HEATER - S68105/18 - LOT
16 DP 1103064, 11 SURVEYORS WAY SOUTH B**

Cr Statham and Cr Coleman vacated the chambers at 7:44 pm.

18-221 RESOLVED

THAT the proposed solid fuel heater application S68105/18 for Lot 16 DP 1103064, 11 Surveyors Way South Bowenfels be approved subject to the following conditions:

STANDARD CONDITIONS – SOLID FUEL HEATERS

General conditions

1. The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application.
2. The installation of the wood burning solid fuel heater and flue must be carried out in accordance with the provisions of the Building Code of Australia, Australian Standard 2918 "Domestic solid fuel burning appliances – installation" and manufacturers details.
3. Approval is for a wood burning solid fuel heater only and no coal or other unapproved fuel is to be used to operate the heater. Only dry, seasoned hardwood shall be used as fuel.
4. That soot and smoke emissions from the solid fuel burning appliance be maintained to an acceptable level so as to prevent interference with public health and convenience.
5. The solid fuel heater shall be installed in accordance with Australian Standard 2918 and manufacturer's details.

Requirements during and after installation

Certification

6. The solid fuel heater and flue shall be installed by a licensed installer strictly in accordance with manufacturer's specifications and AS2918 and relevant Australian Standards. Certification from the installer is to be submitted to Council prior to the final inspection.

Inspections

7. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Completion of the solid fuel heater and sign off to all conditions of the consent prior to use.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

Compliance Plate

8. The heater shall have a current compliance plate stating that the appliance conforms to Australian Standards 4012 and 4013.

Manufacturer/installation and operating manuals

9. A copy of the manufacturer's installation and operating manuals must be provided with every installation to the owner or occupier of the premises upon installation of the unit. The owner is to ensure that the storage and type of fuel used and cleaning, servicing and maintenance of the unit is carried out in accordance with the manual.

Hearth

10. For any material other than outlined in the manufacturers details or masonry used as a hearth or floor protector, certification (for resistance to temperature rises and stability) is required that the material complies with Section 3.3, AS2918.

Flue

11. That the flue for the solid fuel burning appliance be taken to a height of at least 600 mm above the ridge of the roof if the flue system is within 3m of the highest point of the roof or alternatively 1000mm above the roof penetration. No part of the building shall be within a 3 metre radius of the flue exit which may require the flue to be extended beyond 1000mm above the roof penetration on steep roof pitches.

12. The flue installation through the ceiling and roof shall not impact on the structural integrity of the roof frame.

13. That, owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure that the flue is effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

14. The flue is to be installed strictly in accordance with manufacturer's details and AS2918:2001. A copy of the flue and installation details shall be submitted to Council prior to the final inspection.

15. Suitable flashing shall be installed to weatherproof the building in accordance with the Building Code of Australia.

Requirements prior to use

16. Prior to the use of the appliance a final completion certificate must be issued by Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED – Unanimously

Cr Statham and Coleman returned to the chambers at 7:51 pm.

WATER AND WASTEWATER REPORTS

**ITEM-9 WWW - 27/08/18 - DEVELOPMENT SERVICING PLANS FOR WATER
SUPPLY AND SEWERAGE**

18-222 RESOLVED

THAT Council adopt the Development Servicing Plan for Water Supply and Sewerage and replace the current developer contributions in the 2018/19 fees and charges with the charges found in the attached plan.

MOVED: Councillor R Thompson

SECONDED: Councillor D Goodwin

CARRIED - Unanimously

ITEM-10 WWW - 27/08/18 - WATER AND WASTEWATER POLICY REVIEW

18-223 RESOLVED

THAT

1. The following policies as outlined in the attached versions be adopted and implemented immediately;
 - a. Policy 3.2. Non Compliance with Water Restrictions
 - b. Policy 3.3. Drinking Water Quality
2. That the following new policies be put on public exhibition for 28 days and upon closure of this period, the results of the public exhibition be reported to Council for consideration;
 - a. New Policy. Sewer Connection
 - b. New Policy. Fire Service Installation

MOVED: Councillor D Goodwin

SECONDED: Councillor D Goodsell

CARRIED – Unanimously

ITEM-11 WWW - 27/08/18 - WATER REPORT

18-224 RESOLVED

THAT Council note the water report.

MOVED: Councillor C Coleman

SECONDED: Councillor R Thompson

CARRIED – Unanimously

FINANCE AND ASSETS REPORTS

ITEM-12 FIN - 27/08/18 - CARRYOVER-REVOTE OF UNSPENT 2017-18 PROJECT FUNDS

18-225 RESOLVED

THAT Council:

1. Revote the amount of \$9,959,135 for 2017/18 capital revotes and carryovers (as detailed in the attachment).
2. Revote the amount of \$302,789 for 2017/18 operational revotes and carryovers (as detailed in the attachment).

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson

CARRIED – Unanimously

PEOPLE AND SERVICES

ITEM-13 P&S - 27/08/18 - RECOGNITION OF RON BIDWELL OAM

18-226 RESOLVED

THAT Council submit a proposal to the Geographical Names Board to rename Rotary Park Portland to the Ron Bidwell OAM Rotary Park and once endorsed by the Geographical Names Board of NSW install appropriate signage.

MOVED: Councillor M Statham

SECONDED: Councillor W McAndrew

CARRIED - Unanimously

ITEM-14 P&S - 27/08/18 - ASSET MANAGEMENT STUDY SURVEY RESULTS

18-227 RESOLVED

THAT:

1. Council note the Asset Management Study Survey Report.
2. A copy of the report be placed on Council's website.
3. Survey participants be thanked and provided with a summary of the survey results and link to the survey on Council's website for further information.

MOVED: Councillor C Coleman

SECONDED: Councillor R Thompson

CARRIED – Unanimously

COUNCIL COMMITTEE MINUTES

**ITEM-15 IS - 27/08/18 - TRAFFIC ADVISORY LOCAL COMMITTEE MEETING
MINUTES - 19 JULY 2018**

18-228 RESOLVED

THAT Council adopt the minutes of the Traffic Advisory Local Committee held 19 July 2018 and:

1. Approves the installation of RMS Sign R5-400 'No Stopping' signage from the intersection with the Great Western Highway to the intersection with Stewart Street on both sides of Caroline Avenue; and
2. Approves the construction of a new median strip on Caroline Avenue to prevent right hand turns into and from the future new Hungry Jacks driveway. Keep left signage and line marking are to be installed with the median in accordance with the relevant RMS technical direction; and
3. Approves updated line marking on Caroline Avenue on approach to the intersection delineating the turn lanes at the TCS; and
4. Approves the installation of RMS Sign R5-400 'No Stopping' signage from the intersection with Caroline Avenue to the southern end of the development on both sides of Stewart Street
5. Approves the installation of a Give Way sign (RMS R1-2 'Give Way') with associated line marking at the intersection of Stewart Street with Caroline Avenue.

MOVED: Councillor S Lesslie

SECONDED: Councillor R Thompson

CARRIED – Unanimously

Councillor Thompson sought advice on Main Street Taxi rank parking and the General Manager indicated that he would advise by email.

Councillor McAndrew sought advice on the installation of a no u-turn sign at the intersection of Girraween Drive and Great Western Highway.

ITEM-16 IS - 27/08/18 - OPERATIONS COMMITTEE MEETING MINUTES - 6 AUGUST 2018

18-229 RESOLVED

THAT Council adopt the Operations Committee Meeting Minutes; and

1. Council note the update of the Cullen Bullen Sewerage Scheme; and
2. Council note the report on variations effected to date and current state of budget; and
 - An update to be provided on the full extent of work and costings for Stage 2 of the Lithgow CBD Revitalisation to be presented at the September Operations Meeting; and
3. Council note the update regarding the Portland Sewerage Treatment Plant; and
4. Council note the information regarding the Drought Management Plan; and
 - That the Operations Committee recommend the review of the Drought Management Plan to continue and be maintained as a separate document or as an appendix to the IWCM; and
5. Council note the information regarding the Integrated Water Cycle Management Strategy; and
 - Council request a projected timeline for the completion date of the IWCM plan for the next Operations Committee Meeting; and
6. Council note the information regarding the Water and Sewer Mains Renewals.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED - Unanimously

ITEM-17 IS - 27/08/18 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 8 AUGUST 2018

18-230 RESOLVED

THAT Council adopt the Minutes of the Sports Advisory Committee Meeting held 8 August 2018.

MOVED: Councillor D Goodwin

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-18 FIN - 27/08/18 - FINANCE COMMITTEE MEETING MINUTES 13 AUGUST 2018

18-231 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee held on 13 August 2018 and the items not requiring a resolution of Council;
2. Adopt the Committee's endorsement of recommendations proposed in the Finance and Assets business papers to be put to the August Council meeting.
3. Endorse the recommendations proposed in the Council Investments Report July 2018, Referral of the Financial Reports for External Audit report and the Bequest to Crystal Theatre Portland report.
4. Consider the Report "Local Government Remuneration Tribunal Determination" from the Finance Committee of 13 August 2018 separately from the Committee minutes and endorse a. b. c. as follows:
 - a. Set the remuneration in 2018/19 for Councillors at \$10,848.00 (2.5% increase on 2017/18).
 - b. Set the remuneration in 2018/19 for the Mayor at \$22,972.00 (2.5% increase on 2017/18).
 - c. Set the 2018/2019 car lease payable by the Mayor at Nil.

MOVED: Councillor W McAndrew

SECONDED: Councillor M Statham

CARRIED – Unanimously

NOTICE OF MOTION

ITEM-19 NOTICE OF MOTION - 27/08/18 - CULLEN BULLEN PROGRESS ASSOCIATION

REPORT BY: **COUNCILLOR MAREE STATHAM**

RECOMMENDATION

THAT:

1. Councillors consider the NOM as the Cullen Bullen Hall is an integral part of the Cullen Bullen community.
2. Council give a rebate of an additional amount of \$488.22 to Cullen Bullen Progress Association for the excessive leak

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

AMENDMENT

THAT this item be deferred until such time that a further report and information regarding average past water accounts for the Cullen Bullen Progress Association can be obtained.

MOVED: Councillor S Lesslie

SECONDED: Councillor J Smith

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

18-232 RESOLVED

THAT this item be deferred until such time that a further report and information regarding average past water accounts for the Cullen Bullen Progress Association can be obtained.

MOVED: Councillor S Lesslie

SECONDED: Councillor J Smith

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

Divisions -

FOR

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

AGAINST

Councillor M Statham

ITEM-20 NOTICE OF MOTION - 27/08/18 - FULL REBATE ON COUNCIL PARKING RATES FOR ALL BUSINESSES EFFECTED BY THE MAIN STREET REVITALISATION

REPORT BY: COUNCILLOR MAREE STATHAM

Due to an earlier declaration of Interest Councillor Thompson vacated the chambers at 8:26 pm.

MOTION

THAT Council provide businesses effected in Main Street a full rebate on parking fees/ rates during the time of the Revitalisation when there was limited or no parking in front or at the rear of their businesses.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodsell

The Motion was **PUT** and **LOST** – Unanimously

Cr Goodwin declared a POINT OF ORDER in relation to the Mayor's public comment "Second worst decision made by Council" which Cr Goodwin suggested was not relevant to the motion under consideration.

Cr Statham enquired of the Mayor of what he thought was the worst decision of Council.

The Mayor in reply to the question stated "Contracting of the Council cleaning services".

Cr Smith declared a POINT OF ORDER indicating that the matters raised were not relevant to the issue under consideration.

Cr Goodsell supported the POINT OF ORDER raised by Cr Smith.

The Mayor in reply indicated he was providing a factual answer to a question asked.

Cr Thompson returned to the Chambers at 8:36 pm

ITEM-21 NOTICE OF MOTION - 27/08/18 - IMPROVEMENT TO PEDESTRIAN CROSSINGS

REPORT BY: COUNCILLOR CASSANDRA COLEMAN

18-233 RESOLVED

THAT Council staff explore ways of improving safety at all pedestrian crossings in built up areas in the Lithgow LGA.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

ITEM-22 NOTICE OF MOTION - 27/08/18 - BLUE MOUNTAINS ULTRASOUND

REPORT BY: COUNCILLOR CASSANDRA COLEMAN

18-234 RESOLVED

THAT the General Manager please confirm whether the Lithgow Hospital Xray/Ultrasound department is under any added pressure since the closure of Blue Mountains Ultrasound and if this is the case how can Lithgow City Council assist?

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

ITEM-23 NOTICE OF MOTION - 27/08/18 - CANBERRA VISIT IN JUNE 2018

REPORT BY: COUNCILLOR WAYNE McANDREW

18-235 RESOLVED

THAT the GM update Council on the responses received if any and/or any indication on possible future visits by those lobbied in Canberra.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED – Unanimously

ITEM-24 NOTICE OF MOTION - 27/08/18 - PARKING ZONES IN MAIN STREET LITHGOW

REPORT BY: COUNCILLOR WAYNE McANDREW

18-236 RESOLVED

THAT Council investigate the process for a review of parking zones in Main Street Lithgow looking at the number and appropriateness of the current zones to be discussed at a future meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED – Unanimously

ITEM-25 NOTICE OF MOTION - 27/08/18 - DEMENTIA AWARENESS MONTH

REPORT BY: COUNCILLOR CASSANDRA COLEMAN

18-237 RESOLVED

THAT Lithgow City Council support Dementia Awareness Month in September 2018 and become a Friend of Dementia in order to promote understanding, awareness and advocacy, and to help those with dementia to live a safe and supported life in our community.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED - Unanimously

ITEM-26 NOTICE OF MOTION - 27/08/18 - WAIVER OF FEES FOR CIVIC BALLROOM FOR 'RAIN AGAIN SUPPER DANCE'

REPORT BY: COUNCILLOR MAREE STATHAM

18-238 RESOLVED

THAT Lithgow City Council:

1. Waive the fees for the hire of the Civic Ballroom as a good will gesture to local farming rate payers.
2. Cover the insurance for this event if held in the Civic Ballroom.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodsell

CARRIED

A **DIVISION** was called by Councillors S Lesslie

Divisions

FOR

Councillor D Goodsell
Councillor D Goodwin
Councillor J Smith
Councillor M Statham
Councillor R Thompson

AGAINST

Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman

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.*

There was Nil business of great urgency.

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.

The Mayor declared a five minute adjournment to the meeting at 9:21 pm.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED

The Council reconvened at 9:33 pm.

18-239 RESOLVED

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

MOVED: Councillor R Thompson

SECONDED: Councillor S Lesslie

CARRIED

At 9:34 pm the Council resolved to move into Closed Council.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

Closed Council started at 9:34 pm.

CLOSED COUNCIL

**ITEM-27 CONFIDENTIAL - CLOSED COUNCIL - GM - 27/08/18 - AUTHORISATION
BY MAYOR TO APPLY SEAL OF COUNCIL**

18-240 RESOLVED

THAT Council consider the confidential report Authorisation by Mayor to Apply Seal of Council in closed Council in accordance with Section 10A(2)(a) of the Local Government Act 1993.

MOVED: Councillor R Thompson

SECONDED: Councillor S Lesslie

CARRIED

**ITEM-28 CONFIDENTIAL - CLOSED COUNCIL - FIN - 27/08/18 - EOI EVALUATION
 CULLEN BULLEN SEWER SCHEME**

18 – 241 RESOLVED

THAT Council consider the report in relation to the invitation of organisations to tender for the design of the Cullen Bullen Sewer Scheme in Closed Council in accordance with Section 10A (2) (d) of the Local Government Act 1993.

MOVED: Councillor R Thompson **SECONDED:** Councillor S Lesslie

CARRIED

ITEM-29 CONFIDENTIAL REPORT - CLOSED COUNCIL - GM - 27/08/18 - STAFF

18 – 242 RESOLVED

THAT Council consider the report Staff Protection in closed Council in accordance with Section 10A(2)(a) of the Local Government Act 1993.

MOVED: Councillor R Thompson **SECONDED:** Councillor S Lesslie

CARRIED

CONFIDENTIAL REPORTS

**ITEM-27 CONFIDENTIAL - CLOSED REPORT - 27/08/18 - AUTHORISATION BY
 MAYOR TO APPLY SEAL OF COUNCIL**

18 – 243 RESOLVED

THAT Council note the confidential report and the application of the Council seal with the Mayor's approval.

MOVED: Councillor R Thompson **SECONDED:** Councillor J Smith

CARRIED – Unanimously

**ITEM-28 CONFIDENTIAL - CLOSED REPORT - FIN - 27/08/18 - EOI EVALUATION
 CULLEN BULLEN SEWER SCHEME**

18-244 RESOLVED

THAT Council:

In accordance with Clause 168 (4) (a) of the *Local Government (General) Regulation 2005*, invite the following organisations to tender for the design of the Cullen Bullen Sewer Scheme;

- Cardno (NSW/ACT) Pty Ltd
- GHD Pty Ltd
- Stantec Australia Pty Ltd
- Warren Smith & Partners Pty Ltd

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED – Unanimously

ITEM-29 CONFIDENTIAL REPORT - GM - 27/08/18 - STAFF

18-245 RESOLVED

THAT Council:

1. Note that serious threats have been made by a resident towards Council's customer Service and Water and Waste Water staff and that those threats have been formally reported to the police.
2. Note the video and voice recording taken of the relevant customer when attending the Customer Service Counter on the 16th August 2018.
3. Note the legal advice contained in the email above from Swaab Lawyers.
4. Authorise the General Manager to indemnify those Council staff who feel it necessary to take out a private APVO against individuals threatening them during the course of their employment with Council and when in the opinion of the General Manager it is
 - a. Appropriate in the circumstances to do so and
 - b. The matter has been reported to police and the police have advised that they are not in a position to make an application for an APVO themselves.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

At 10:19 pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

The Mayor announced the recommendations of the Closed Council.

ITEM 27 CONFIDENTIAL – CLOSED REPORT – AUTHORISATION BY MAYOR TO APPLY SEAL OF COUNCIL

RESOLVED

THAT Council note the confidential report and the application of the Council seal with the Mayor's approval.

ITEM 28 CONFIDENTIAL REPORT – FIN – 27/08/18 - EOI EVALUATION CULLEN BULLEN SEWER SCHEME

RESOLVED

THAT Council:

In accordance with Clause 168 (4) (a) of the *Local Government (General) Regulation 2005*, invite the following organisations to tender for the design of the Cullen Bullen Sewer Scheme;

- Cardno (NSW/ACT) Pty Ltd
- GHD Pty Ltd
- Stantec Australia Pty Ltd
- Warren Smith & Partners Pty Ltd

ITEM 29 GM – 27/08/18 - STAFF

RESOLVED

THAT Council:

1. Note that serious threats have been made by a resident towards Council's customer Service and Water and Waste Water staff and that those threats have been formally reported to the police.
2. Note the video and voice recording taken of the relevant customer when attending the Customer Service Counter on the 16th August 2018.
3. Note the legal advice contained in the email above from Swaab Lawyers.

4. Authorise the General Manager to indemnify those Council staff who feel it necessary to take out a private APVO against individuals threatening them during the course of their employment with Council and when in the opinion of the General Manager it is
 - a. Appropriate in the circumstances to do so and
 - b. The matter has been reported to police and the police have advised that they are not in a position to make an application for an APVO themselves.

18-246 RESOLVED

THAT Council adopt the recommendations of the closed Council.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

There being no further business the Mayor declared the meeting closed at 10:20 pm.