



MINUTES

Ordinary Meeting of Council
of 27 May 2019

held at

Council Administration Centre

180 Mort Street, Lithgow

Reconvened
Tuesday 11 June 2019

at 6:30 pm

ORDER OF BUSINESS

1. Acknowledgement of Country	4
2. Present	4
3. Apologies	4
4. Confirmation of Minutes.....	4
5. Declaration of Interest.....	5
6. Commemorations and Announcements	5
7. Public Forum.....	5
8. Staff Reports	5
8.1. General Manager's Reports.....	5
8.1.1. GM - 27/05/19 - Code of Conduct and Procedures.....	5
8.1.2. GM - 27/05/19 - Code of Meeting Practice.....	6
8.1.3. GM - 27/05/19 - Policy 9.5 Councillor Expenses and Facilities.....	6
8.1.4. GM - 27/05/19 - Notice of Motion - Ruled Unlawful.....	8
8.2. Economic Development and Environment Reports.....	8
8.2.1. ECDEV - 27/05/19 - Airly Mine Extension Project MOD 2 SSD5581.....	8
8.2.2. ECDEV - 27/05/19 - Clarence Colliery Modification 4 to DA504-00, Proposal to Increase Tonnage Limits.....	9
8.2.3. ECDEV - 27/05/19 - Review of Determination DA217/17 Lake Lyell Restaurant - Onsite Effluent Management System.....	9
8.2.4. ECDEV - 27/05/19 - DA142/18 (MOD005/19) Modification to Staging to the Original Approval - 994 Great Western Highway Bowenfels.....	10
8.2.5. ECDEV - 27/05/19 - Proposed Sale of Council land - Pt Lot 68 DP 813538 adjoining Metromix Quarry Marrangaroo	10
8.2.6. ECDEV - 27/05/2019 - DA020/19 Subdivision 1 Lot into 4 & 4 Dwellings, 7 Cura Close Lithgow- Call In Report.....	12
8.2.7. ECDEV - 27/05/19 - Proposed Renaming of Anarel Road Sodwalls	12
8.2.8. ECDEV - 27/05/19 - Proposed Renaming of Old Western Road Rydal.....	13
8.2.9. ECDEV - 27/05/19 - Sponsorship Request Lithgow Art Prize 2019.....	13
8.3. Water and Wastewater Reports.....	13
8.3.1. WWW - 27/05/19 - Water Report	13
8.4. Finance and Assets Reports	14
8.4.1. FIN - 27/05/19 - Special Rate Variation - IPART Determination	14
8.4.2. FIN - 27/05/19 - Finance Committee Terms of Reference	16
8.4.3. FIN - 27/05/19 - Local Government Remuneration Tribunal Determination	16
8.4.4. FIN - 27/05/19 - 2019/20 Emergency Services Levy Increase.....	17
8.4.5. FIN - 27/05/19 - 2018/19 Quarter Three Budget Review	18
8.4.6. FIN - 27/05/19 - Rates & Charges Write Off	18
8.4.7. FIN - 27/05/19 - Write-off - S94A, Bad Debts and Inventory.....	19

8.5. People and Services Reports	19
8.5.1. PS - 27/05/19 - Drought Communities Programme - Extension - Submissions & Recommendations.....	19
8.5.2. PS - 27/05/19 - Policy 9.14 - Risk Management	22
8.5.3. PS - 27/05/19 - Nominations to Community Development Committee	22
8.5.4. PS - 27/05/19 - Women's Advisory Committee Terms of Reference	23
8.5.5. PS - 27/05/19 - Policy - Organisational Resilience - Business Continuity Policy 9.4.....	23
9. Council Committee Reports.....	25
9.1. IS - 27/05/19 - Operation Committee Meeting Minutes 20th March 2019	25
9.2. PS - 27/05/19 - Community Development Committee Minutes 9th April 2019	25
9.3. IS - 27/05/19 - Sports Advisory Committee Meeting Minutes 10th April 2019.....	26
9.4. ECDEV - 27/05/2019 - Environmental Advisory Committee Meeting 8th May 2019	26
9.5. CFIO - 27/05/19 - Finance Committee Meeting Minutes 13th May 2019	27
9.6. IS - 27/05/19 - Operations Committee Meeting Minutes 14th May 2019.....	27
9.7. IS - 27/05/19 - Sports Advisory Committee Meeting Minutes 15th May 2019	28
10. Notices of Motion.....	28
10.1. Notice of Motion - 27/05/19 - Building Committee	28
10.2. Notice of Motion - 27/05/19 - Legal Budget Breakdown	29
10.3. Notice of Motion - 27/05/19 - Australian Local Government Women's Association NSW	30
11. Business of Great Urgency	30
12. Closed Council.....	31
12.1. FIN - 27/05/19 - Unreasonable Complainants	31
12.2. IS - 27/05/19 - Replacement of Roadside Fencing - Wolgan Road, Wolgan Valley.....	32
12.3. Mayoral Minute - Confidential - 27/05/19 - Staff Matters	33

The Mayor declared the meeting open at 06:30 pm.

1. Acknowledgement of Country

The Mayor acknowledged the traditional custodians of this land we are on here today, and paid respect to their elders both past, present and emerging.

2. Present

Public: 7

His Worship the Mayor Councillor R Thompson
Councillor W McAndrew
Councillor C Coleman (late)
Councillor D Goodsell
Councillor D Goodwin
Councillor S Lesslie
Councillor S Ring
Councillor J Smith

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 Daniel Buckens, Director Water and Wastewater
Mr Jonathon Edgecombe, Director Infrastructure Services
Mr Michael McGrath, Director People and Services
Mrs Trinity Newton, Minutes Secretary
Ms Kaitlin Cibulka, Minutes Secretary

3. Apologies

An apology was received from and leave of absence granted to Councillor M Statham who is unable to attend due to personal business.

MOVED: Councillor J Smith

SECONDER: Councillor D Goodsell

CARRIED: Unanimously

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

4. Confirmation of Minutes

19-124 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 29 April 2019 were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Ring, Councillor J Smith

AGAINST: Councillor S Lesslie

5. Declaration of Interest

Councillor J Smith declared a non-pecuniary interest in Items 8.2.3, 8.2.4 and 9.4 for the reason that his employer is the subject of the reports and will vacate the Chambers.

6. Commemorations and Announcements

Councillor D Goodwin commemorated the passing of Mrs Rae Swift who passed away recently and was an active member of the Basketball community.

Councillor D Goodwin commemorated the passing of Mr John Barlow OAM who passed away recently and has served the Lithgow Community for many years and received many awards recognising his work in the Police Force and the community.

Councillor J Smith commemorated the passing of Mr Peter Miranda who passed away recently and was an active member of the community.

Councillor J Smith commemorated the passing of Mrs Ellen McManus who passed away recently and was a well known and loved local teacher and was an active member of the community.

Cr McAndrew thanked the Councillors, Council Staff and the wider Community for their support at this difficult time.

7. Public Forum

At 6:34 members of the public gallery were invited to participate in the Public Forum Session.

There were Nil Public Forum

8. Staff Reports

8.1. General Manager's Reports

8.1.1. GM - 27/05/19 - Code of Conduct and Procedures

19-125 RESOLVED

THAT Council adopt the Prescribed Code of Conduct and the Prescribed Procedures for the Administration of the Code of Conduct.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.1.2. GM - 27/05/19 - Code of Meeting Practice

19-126 RESOLVED

THAT Council:

1. Adopt the Code of Meeting Practice with the mandatory clauses of the prescribed Code only included.
2. Note that Council meetings will be live streamed on the Council's website (as per clause 5.19 of the Code) from the June 2019 meeting.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.1.3. GM - 27/05/19 - Policy 9.5 Councillor Expenses and Facilities

MOTION

That Council determines:

1. 2019/20 Councillor professional development travel expense budget be set as an amount for each Councillor (ie \$2,000 / \$500 each)
2. That the General Manager and Mayor provide a draft Councillor Expenses and Facilities budget at the beginning of each financial year to be decided at each July Council Meeting. The budget will take into account such things as priorities and costs eg compulsory councillor training etc
3. That the general travel expenses budget for 2019/20 should be supplemented by \$5,000 to cover Councillor travel costs to unforeseen meetings and/or events eg the Latrobe Valley issue.
4. That as the State and Federal Local Government Conferences are held each year and require Lithgow Council's involvement, these two events can be planned and budgeted for separately
5. To adopt the revised Policy Councillor Expenses and Facilities with the policy to be updated as resolved for recommendations 1, 2, 3 and 4 above

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

Councillor Ring seconded the Motion than withdrew his seconding of the motion.

Councillor Smith than seconded the Motion.

Councillor C Coleman entered the Chambers at 06:51 pm.

AMENDMENT

THAT Council:

1. Agree 2019/20 Councillor professional development / travel expenses budgets be set as a pool amount for all Councillors (i.e. \$18,000 / \$4,500 in total).
2. That the General Manager and Mayor provide a draft Councillor Expenses and Facilities budget at the beginning of each financial year to be decided at each July Council Meeting. The budget will take into account such things as priorities and costs eg compulsory councillor training etc
3. That the general travel expenses budget for 2019/20 should be supplemented by \$5,000 to cover Councillor travel costs to unforeseen meetings and/or events eg the Latrobe Valley issue.
4. That as the State and Federal Local Government Conferences are held each year and require Lithgow Council's involvement, these two events can be planned and budgeted for seperately
5. To adopt the revised Policy Councillor Expenses and Facilities with the policy to be updated as resolved for recommendations 1, 2, 3 and 4 above

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED:

The AMENDMENT was PUT and became the MOTION

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring

AGAINST: Councillor R Thompson, Councillor W McAndrew, Councillor J Smith

19-127 RESOLVED

THAT Council:

1. Agree 2019/20 Councillor professional development / travel expenses budgets be set as a pool amount for all Councillors (i.e. \$18,000 / \$4,500 in total).
2. That the General Manager and Mayor provide a draft Councillor Expenses and Facilities budget at the beginning of each financial year to be decided at each July Council Meeting. The budget will take into account such things as priorities and costs eg compulsory councillor training etc
3. That the general travel expenses budget for 2019/20 should be supplemented by \$5,000 to cover Councillor travel costs to unforeseen meetings and/or events eg the Latrobe Valley issue.
4. That as the State and Federal Local Government Conferences are held each year and require Lithgow Council's involvement, these two events can be planned and budgeted for seperately
5. To adopt the revised Policy Councillor Expenses and Facilities with the policy to be updated as resolved for recommendations 1, 2, 3 and 4 above

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED:

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor M Statham, Councillor S Lesslie, Councillor S Ring, Councillor W McAndrew

AGAINST: Councillor R Thompson

8.1.4. GM - 27/05/19 - Notice of Motion - Ruled Unlawful

19-128 RESOLVED

THAT

1. Council note the decision of the General Manager to rule a notice of motion unlawful and exclude it from the business papers of Council pursuant to Clause 18(ii) of Council's Code of Meeting Practice.
2. Council note the statement in the commentary that the Notice of Motion was received from Councillor Lesslie prior to the cut off time is incorrect and the Notice of Motion was received within the permitted timeframe.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.2. Economic Development and Environment Reports

8.2.1. ECDEV - 27/05/19 - Airly Mine Extension Project MOD 2 SSD5581

Due to an earlier declaration of interest in both Items 8.2.1 and 8.2.2, Councillor J Smith left the meeting at 06:58 pm.

19-129 RESOLVED

THAT Council note the information in the report for the Airly Mine Extension Project Modification 2, State Significant Development (SSD) 5581.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring

AGAINST: nil

8.2.2. ECDEV - 27/05/19 - Clarence Colliery Modification 4 to DA504-00, Proposal to Increase Tonnage Limits

19-130 RESOLVED

THAT the information in the report for the Clarence Colliery Modification 4 to DA504-00, proposal to increase tonnage amount, be NOTED.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring

AGAINST: nil

Councillor J Smith returned to the meeting at 07:10 pm.

Council requested that administration inform Blue Mountains City Council to the modification requested.

8.2.3. ECDEV - 27/05/19 - Review of Determination DA217/17 Lake Lyell Restaurant - Onsite Effluent Management System

This item was resolved at the meeting of 27 May 2019

19-119 RESOLVED

THAT Section 8.2 Review of Determination under the Environmental Planning and Assessment Act 1979 for DA217/17 Lake Lyell Restaurant be approved subject to amended conditions of consent outlined in the attached report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith, Councillor M Statham

AGAINST: nil

8.2.4. ECDEV - 27/05/19 - DA142/18 (MOD005/19) Modification to Staging to the Original Approval -994 Great Western Highway Bowenfels

This item was resolved at the meeting of 27 May 2019

19-120 RESOLVED

THAT

1. The Modification of Consent MOD005/19 of Development Application DA142/18 be **APPROVED** subject to conditions on the consent as shown in the attached Section 4.55 report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith, Councillor M Statham

AGAINST: nil

8.2.5. ECDEV - 27/05/19 - Proposed Sale of Council land - Pt Lot 68 DP 813538 adjoining Metromix Quarry Marrangaroo

MOTION

THAT

1. Council dispose, via sale to Metromix Pty Ltd, of Part Lot 68 DP 813538, having an area of approximately 1.085ha (subject to survey), subject to the following terms and conditions:
 - a. Purchase price of \$10,000 plus any applicable GST
 - b. Metromix Pty Ltd will be responsible for obtaining all relevant approvals and the costs associated with the subdivision of the land from Lot 68 DP813538 and consolidation with the adjoining quarry site on Lot 1 DP 577347.
 - c. Metromix Pty Ltd will be responsible for all legal costs incurred by themselves and Council in relation to the contract of sale and the registration of the subdivision plan and transfer of title.

- d. The environmental bund and vegetation screen on the land is to remain in place whilst ever the quarry is in operation and until the site is fully rehabilitated in accordance with the mining lease post the cessation of quarry operations.
2. Council enter into a contract of sale once the necessary plan of subdivision and consolidation is prepared for registration with NSW Land Registry Service.
3. All proceeds from the sale of the land be held as a restricted asset in the Land Fund Reserve for future strategic asset acquisition.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

AMENDMENT

THAT a report be brought back to Council with the view to approach Metromix regarding the options to Council, including leasing of the parcel of land in question.

MOVED: Councillor S Lesslie

SECONDED: Councillor J Smith

CARRIED:

The Amendment was PUT and became the MOTION

Divisions

FOR: Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: Councillor R Thompson

19-131 RESOLVED

THAT a report be brought back to Council with the view to approach Metromix regarding the options to Council, including leasing of the parcel of land in question.

MOVED: Councillor S Lesslie

SECONDED: Councillor J Smith

CARRIED:

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor S Lesslie, Councillor S Ring, Councillor W McAndrew

AGAINST: Councillor R Thompson

8.2.6. ECDEV - 27/05/2019 - DA020/19 Subdivision 1 Lot into 4 & 4 Dwellings, 7 Cura Close Lithgow- Call In Report

19-132 RESOLVED

THAT the calling in of Development Application DA020/19 be noted

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

Note: Council requested an onsite meeting.

8.2.7. ECDEV - 27/05/19 - Proposed Renaming of Anarel Road Sodwalls

Councillor S Ring left the meeting at 07:22 pm.

19-133 RESOLVED

THAT:

1. Council undertake an expression of interest for a period of twenty-eight (28) days (through advertising in the local newspaper and written notification to residents and authorities) calling for submissions on the proposed renaming of the western portion of "Anarel Road" and the associated review of address numbering.
2. Any submissions (including objections and proposed road names) be reported back to Council for consideration, prior to commencing the online road naming process.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

8.2.8. ECDEV - 27/05/19 - Proposed Renaming of Old Western Road Rydal

Councillor S Ring returned to the meeting at 07:23 pm.

19-134 RESOLVED

THAT Council proceed with the online road naming process and gazette the road name of "Bloody Cutting Road" accordingly and notify appropriate landowners and authorities of the new address changes.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.2.9. ECDEV - 27/05/19 - Sponsorship Request Lithgow Art Prize 2019

The General Manager informed the Council that this item was withdrawn from the Agenda pending clarification concerning a complaint that the intellectual property for the prize is claimed by another party.

8.3. Water and Wastewater Reports

8.3.1. WWW - 27/05/19 - Water Report

19-135 RESOLVED

THAT Council notes the water report.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.4. Finance and Assets Reports

8.4.1. FIN - 27/05/19 - Special Rate Variation - IPART Determination

MOTION

THAT Council:

1. Notes the partial approval by the Independent Pricing and Regulatory Tribunal (IPART) under S508(2) of the Local Government Act 1993 of the Council's application for a permanent Special Rate Variation from 1 July 2019.
2. Notes the following conditions of approval:
 - a. The Council uses the additional income from the special variation for the purposes of improving financial sustainability and as outlined in the council's application.
 - b. The Council reports in its annual report for each year in 2019-20 and 2020-21 on:
 - The program of expenditure that was actually funded by the additional income,
 - The actual revenues, expenses and operating balance against the projected revenues, expenses and operating balance, as outlined in the Long Term Financial Plan provided in the council's application,
 - Any significant variations from its proposed expenditure as forecast in the current Long Term Financial Plan and the reasons for such variation
 - Expenditure consistent with the council's application and listed in Appendix B, and The reasons for any significant differences from the proposed expenditure, and
 - The outcomes achieved as a result of the actual program of expenditure.
 - c. The Council is required to reduce its income for Year 2019-20 to reflect the expiring Special variation amount of \$636,992 before increasing its general income for that year.
3. Endorses and approves the IPART determination on the Council's application for a special variation to rates for implementation from the 2019/20 year.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

AMENDMENT

THAT Council:

1. Notes the partial approval by the Independent Pricing and Regulatory Tribunal (IPART) under S508(2) of the Local Government Act 1993 of the Council's application for a permanent Special Rate Variation from 1 July 2019.
2. Notes the following conditions of approval:
 - a. The Council uses the additional income from the special variation for the purposes of improving financial sustainability and as outlined in the council's application.
 - b. The Council reports in its annual report for each year in 2019-20 and 2020-21 on:
 - The program of expenditure that was actually funded by the additional income,
 - The actual revenues, expenses and operating balance against the projected revenues, expenses and operating balance, as outlined in the Long Term Financial Plan provided in the council's application,
 - Any significant variations from its proposed expenditure as forecast in the current Long Term Financial Plan and the reasons for such variation
 - Expenditure consistent with the council's application and listed in Appendix B, and The reasons for any significant differences from the proposed expenditure, and
 - The outcomes achieved as a result of the actual program of expenditure.

- c. The Council is required to reduce its income for Year 2019-20 to reflect the expiring Special variation amount of \$636,992 before increasing its general income for that year.
3. Endorses and approves the IPART determination on the Council's application for a special variation to rates for implementation from the 2019/20 year.
4. Prepare a discussion paper for a future Finance Committee Meeting on the benefits and consequences of loan borrowing specifically to repair chronic infrastructure needs of roads and drains.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring

CARRIED:

The AMENDMENT was PUT and became the MOTION

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor R Thompson, Councillor S Lesslie, Councillor S Ring

AGAINST: Councillor W McAndrew

19-136 RESOLVED

THAT Council:

1. Notes the partial approval by the Independent Pricing and Regulatory Tribunal (IPART) under S508(2) of the Local Government Act 1993 of the Council's application for a permanent Special Rate Variation from 1 July 2019.
2. Notes the following conditions of approval:
 - a. The Council uses the additional income from the special variation for the purposes of improving financial sustainability and as outlined in the council's application.
 - b. The Council reports in its annual report for each year in 2019-20 and 2020-21 on:
 - The program of expenditure that was actually funded by the additional income,
 - The actual revenues, expenses and operating balance against the projected revenues, expenses and operating balance, as outlined in the Long Term Financial Plan provided in the council's application,
 - Any significant variations from its proposed expenditure as forecast in the current Long Term Financial Plan and the reasons for such variation
 - Expenditure consistent with the council's application and listed in Appendix B, and The reasons for any significant differences from the proposed expenditure, and
 - The outcomes achieved as a result of the actual program of expenditure.
 - c. The Council is required to reduce its income for Year 2019-20 to reflect the expiring Special variation amount of \$636,992 before increasing its general income for that year.
3. Endorses and approves the IPART determination on the Council's application for a special variation to rates for implementation from the 2019/20 year.
4. Prepare a discussion paper for a future Finance Committee Meeting on the benefits and consequences of loan borrowing specifically to repair chronic infrastructure needs of roads and drains.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring

CARRIED:

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor M Statham, Councillor R Thompson, Councillor S Lesslie, Councillor S Ring

AGAINST: Councillor W McAndrew

8.4.2. FIN - 27/05/19 - Finance Committee Terms of Reference

Councillor S Ring left the meeting at 08:01 pm.

Councillor S Ring returned to the meeting at 08:02 pm.

19-137 RESOLVED

THAT Council adopt the revised draft Terms of Reference for the Finance Committee.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED:

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Ring, Councillor J Smith

AGAINST: Councillor S Lesslie

8.4.3. FIN - 27/05/19 - Local Government Remuneration Tribunal Determination

19-138 RESOLVED

THAT Council:

1. Set the remuneration in 2019/20 for Councillors at \$11,119 (2.5% increase on 2018/19).
2. Set the remuneration in 2019/20 for the Mayor at \$23,546 (2.5% increase on 2018/19).
3. Set the 2019/20 car lease payable by the Mayor at Nil.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.4.4. FIN - 27/05/19 - 2019/20 Emergency Services Levy Increase

19-139 RESOLVED

THAT

1. Council note the information provided in the report with regards to a substantial increase in the 2019/20 Emergency Services Levy.
2. Endorse the deferral of the operational project Hassans Walls Reserve Mine Subsidence Audit from the 2019/20 Operational Plan to cover the \$72K budget shortfall pending any action by the State Government to rescind the levy increase.
3. Council write to the local State member and the Minister for Local Government seeking that the State government cover the additional cost of providing emergency services in NSW or that the cost increases be deferred to a future year.
4. Note that WSROC at its recent on the 23 May with Lithgow Council in attendance resolved as follows:

“That WSROC advocate for better outcomes regarding the Emergency Service Levy for councils by:

1. *Supporting in principle, the changes to workers compensation in relation to volunteer and career firefighters.*
2. *Requesting the NSW Government to fund the scheme in the first year, and*
3. *Seeking a meeting with the Premier and relevant Minister to express Western Sydney councils’ dismay in relation to:*
 - a. *The lack of consultation by the NSW Government.*
 - b. *The timing of the decision, when most councils have already had their draft budgets finalised and on public exhibition.*
 - c. *The financial consequences of the decision. Noting that the proposed increase is disproportionate in view of the 2.7% Rate Cap imposed on Local Government by the NSW Government’s own Independent Pricing and Regulatory Authority.”*

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.4.5. FIN - 27/05/19 - 2018/19 Quarter Three Budget Review

This item was resolved at the meeting of 27 May 2019

19-121 RESOLVED

THAT Council:

1. Notes the content of the report and the revised operating result before capital grants of (\$316K) for the 2018/19 Operational Plan as detailed in the Quarterly Budget Review Report for the period 1 January 2019 to 31 March 2019.
2. Council adopts the variations to the Council budget as outlined in the attached report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith, Councillor M Statham

AGAINST: nil

8.4.6. FIN - 27/05/19 - Rates & Charges Write Off

19-140 RESOLVED

THAT Council:

1. Write off the rates and charges listed in the attached table in the sum of \$40,528.50 as the amounts are not economical to recover in accordance with Clause 131(4)(d) of the Local Government (General) Regulation 2005.
2. Write off interest accrued to date for the rates and charges listed in the attached table.

MOVED: Councillor S Ring

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.4.7. FIN - 27/05/19 - Write-off - S94A, Bad Debts and Inventory

19-141 RESOLVED

THAT Council write-off:

1. \$18,530.15 of S94A invoices at 30 June 2018 in accordance with AASB1049 – Whole of Government and General Government Sector Financial Reporting.
2. \$25,876.71 of obsolete and scrapped inventory at 30 June 2018 in accordance with AASB1049 – Whole of Government and General Government Sector Financial Reporting.
3. \$30,434.83 of unrecoverable debts at 30 June 2018 in accordance with AASB1049 – Whole of Government and General Government Sector Financial Reporting.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.5. People and Services Reports

8.5.1. PS - 27/05/19 - Drought Communities Programme - Extension - Submissions & Recommendations

This item was dealt with at the meeting of 27 May 2019.

MOTION

THAT the Administration prepare and submit application(s) to the Department of Industry, Innovation and Science for funding under the Drought Communities Programme for the following projects:

		Estimate
1	Community hall and facility upgrades including accessibility ramps, car parks, toilets and handrails, pathways etc.	\$375,000
2	Playground improvements	\$35,000
3	Youth programmes in general aimed at skill building and resilience	\$25,000
4	Mental Health & Well Being Community Plan	\$50,000
5	Education days to upskill primary producers, particularly in ways to best handle drought conditions. Education aimed at regenerative agriculture and	\$40,000

	land use, which may lead to positive changes in farming practices	
6	Local trials to compare and test the benefits/problems/viability/economic benefits of compost use on pastures.	\$25,000
7	Rydal Toilets	\$120,000
8	Tourism sign posting	\$50,000
9	Portland Golf Club water harvesting from the clubhouse roof for storage and reticulation.	\$30,000
10	Improve water access for firefighting in Capertee at fire brigade sheds	\$25,000
11	Sporting facilities water conserving irrigation systems	\$130,000
12	Eradication of noxious weeds	\$45,000
13	Weed control – African Love Grass	\$50,000
	Total	\$1,000,000

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

QUESTION

Clr Lesslie asked why the Councillor Information Session was not held until the 20th May despite the General Managers email of the 17th April advising Councillors of the requirements that funds are to be fully expended and programs completed by the 31st December 2019.

The General Manager advised the time delay occurred as a result of requests from Councillors for further community consultation which finished on the 10th May 2019 (Easter and ANZAC Day in between) with a report on submissions presented to Councillors at the information session held on the 20th May 2019.

AMENDMENT

		Estimate
1	Community hall and facility upgrades including accessibility ramps, car parks, toilets and handrails, pathways etc.	\$375,000
2	Playground improvements	\$35,000
3	Youth programmes in general aimed at skill building and resilience	\$25,000
4	Mental Health & Well Being Community Plan	\$50,000
5	Swing sets in Main Street , Shade Cloths over play equipment	\$40,000
6	Local trials to compare and test the benefits/problems/viability/economic benefits of fertiliser and the	\$25,000

	commencement of Portland Garden bed upgrade	
7	Rydal Toilets	\$120,000
8	Tourism sign posting	\$50,000
9	Portland Golf Club water harvesting from the clubhouse roof for storage and reticulation.	\$30,000
10	Improve water access for firefighting in Capertee at fire brigade sheds	\$25,000
11	Water Conservation - Water Sporting Fields - Kremer Park	\$130,000
12	Capertee Footpath / Gravel Roads	\$95,000
	Total	\$1,000,000

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

The AMENDMENT was PUT and LOST

Divisions

FOR: Councillor C Coleman, Councillor M Statham

AGAINST: Councillor R Thompson, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

19-122 RESOLVED

THAT the Administration prepare and submit application(s) to the Department of Industry, Innovation and Science for funding under the Drought Communities Programme for the following projects:

		Estimate
1	Community hall and facility upgrades including accessibility ramps, car parks, toilets and handrails, pathways etc.	\$375,000
2	Playground improvements	\$35,000
3	Youth programmes in general aimed at skill building and resilience	\$25,000
4	Mental Health & Well Being Community Plan	\$50,000
5	Education days to upskill primary producers, particularly in ways to best handle drought conditions. Education aimed at regenerative agriculture and land use, which may lead to positive changes in farming practices	\$40,000
6	Local trials to compare and test the benefits/problems/viability/economic benefits of compost use on pastures.	\$25,000
7	Rydal Toilets	\$120,000
8	Tourism sign posting	\$50,000

9	Portland Golf Club water harvesting from the clubhouse roof for storage and reticulation.	\$30,000
10	Improve water access for firefighting in Capertee at fire brigade sheds	\$25,000
11	Sporting facilities water conserving irrigation systems	\$130,000
12	Eradication of noxious weeds	\$45,000
13	Weed control – African Love Grass	\$50,000
	Total	\$1,000,000

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED:

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor R Thompson, Councillor S Lesslie, Councillor S Ring Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor S Lesslie, Councillor S Ring

AGAINST: Councillor M Statham

8.5.2. PS - 27/05/19 - Policy 9.14 - Risk Management

19-142 RESOLVED

THAT Council:

1. Endorse the Risk Management Policy for public exhibition and comment for 28 days.
2. Following the exhibition period that the Risk Management Policy be returned to Council for further consideration.

MOVED: Councillor S Lesslie

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.5.3. PS - 27/05/19 - Nominations to Community Development Committee

19-143 RESOLVED

THAT Council appoint Gaye MacFarlane, Linda Hines and Kas Hilton to the Community Development Committee.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.5.4. PS - 27/05/19 - Women's Advisory Committee Terms of Reference

19-144 RESOLVED

THAT

1. The Women's Advisory Committee is established under Section 355 of the Local Government Act and
2. The Women's Advisory Committee Terms of Reference are adopted for the Committee

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

8.5.5. PS - 27/05/19 - Policy - Organisational Resilience - Business Continuity Policy 9.4

19-145 RESOLVED

THAT Council:

1. Endorse the Organisational Resilience and Business Continuity Plans (BCP) Policy 9.4 for public exhibition and comment for 28 days.
2. Following the exhibition period that the Organisational Resilience and Business Continuity Plans (BCP) Policy 9.4 be returned to Council for further consideration.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9. Council Committee Reports

9.1. IS - 27/05/19 - Operation Committee Meeting Minutes 20th March 2019

19-146 RESOLVED

THAT Council:

1. Notes the Minutes of the Operation Committee Meeting of 20th March 2019
2. Consider improvements to the intersection of Railway Avenue and Thompson Street, Portland as outlined in the report in line with other regional priorities as part of the draft Operational Plan for 2019/20 (funded by removal of a project from the draft 2019/20 capital works program); and
3. Retain the funding in a reserve to use as co-funding for future infrastructure projects (Lithgow CBD Revitalisation Stage 2 Council contribution funds); and
4. Note the report regarding progress on resolving the request for maintenance of stormwater infrastructure within the Portland Golf Club and the footpath gardens within the Portland CBD

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9.2. PS - 27/05/19 - Community Development Committee Minutes 9th April 2019

19-147 RESOLVED

THAT Council note the minutes of the Community Development Committee Meeting held on 9 April 2019.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9.3. IS - 27/05/19 - Sports Advisory Committee Meeting Minutes 10th April 2019

19-148 RESOLVED

THAT Council note the minutes of the Sports Advisory Committee held on the 10th April 2019.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9.4. ECDEV - 27/05/2019 - Environmental Advisory Committee Meeting 8th May 2019

Due to an earlier declaration of interest Councillor J Smith left the meeting at 08:23 pm.

19-149 RESOLVED

THAT Council endorse the minutes of the Environmental Advisory Committee held on 8th May 2019.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring

AGAINST: nil

Councillor J Smith returned to the meeting at 08:24 pm.

9.5. CFIO - 27/05/19 - Finance Committee Meeting Minutes 13th May 2019

19-150 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 13 May 2019 and note the items not requiring a resolution of Council;
2. Endorse the recommendations proposed in the Council Investments Reports for April 2019.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9.6. IS - 27/05/19 - Operations Committee Meeting Minutes 14th May 2019

19-151 RESOLVED

THAT Council:

1. Endorses the Minutes of the Operation Committee Meeting of 14th May 2019; and
2. Consider the allocation of sufficient funds in the 2019/20 Operational Plan to cover the concreting proposed in Williwa and Wolgan Street (funded by removal of a project from the draft 2019/20 capital works program); and
3. Allocate the funding for Option one improvement of the Portland Golf Club stormwater drainage during consideration of the draft 2019/20 Operational Plan (funded by removal of a project from the draft 2019/20 capital works program); and
4. Reallocate \$30,000, from the PJ100375 - Rural Roads Gravel Re-sheeting project to purchase 12 bin enclosures and 240L bins to be installed in Main Street, Lithgow (2018/19 capital budget funding); and
5. Reallocate \$117,000 from the 2019/20 Capital Plant Replacement budget to the 2018/19 Capital Plant Replacement budget to facilitate the purchase the two second hand compaction rollers (2018/19 Quarter 3 budget variation); and
6. Internally borrow \$67,000 from the CBD Revitalisation Stage 2, to the Lithgow CBD Revitalisation Stage 1 for the supply and installation of two shade shelters in Cook St Plaza (funded from 2018/19 reserves) and repay the \$67,000 from the 2019/20 CBD Special Parking Rate.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

9.7. IS - 27/05/19 - Sports Advisory Committee Meeting Minutes 15th May 2019

19-152 RESOLVED

THAT Council:

1. Note the minutes of the Sports Advisory Committee held on the 15th May 2019; and
2. Approve financial assistance of \$500.00 from the current allocation for sports related financial assistance (Policy 4.2 Financial Assistance) for *Adam Doonan* toward the cost of participating in the Finke Desert Race.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

10. Notices of Motion

10.1. Notice of Motion - 27/05/19 - Building Committee

Report by Councillor Stephen Lesslie

THAT Lithgow Council establish a Building Committee to examine and make recommendations to Council about any Development Application referred to it.

This Committee is to consider any Development Application referred to it by the Mayor or General Manager; any matter "called in" by any Councillor; any application where the land area is greater than one hectare; any application where the development application is higher than a two storied house and any application where the cost of the development is greater than two million dollars.

The General Manager to delegate appropriate staff to service the Committee and to draw up terms of reference.

Such terms of reference should include provisions that all Councillors are automatically members of the Committee and that a quorum for the Committee be four members.

The Committee to be open to the public and have the power to allow applicants and members of the public to address the Committee.

The Committee to have the power to adjourn and, if deemed necessary, to have site inspections.

The Committee to have the power to close the Committee for confidential items should such a recommendation be made to the Committee by the General Manager or his delegate and carried by the Committee.

The Chairman to be appointed by the Council and in the event of an equality of votes to have a casting vote.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

Divisions

FOR: Councillor C Coleman, Councillor S Lesslie

AGAINST: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Ring, Councillor J Smith

The Motion was PUT and LOST.

10.2. Notice of Motion - 27/05/19 - Legal Budget Breakdown

Report by Councillor Stephen Lesslie

19-153 RESOLVED

THAT a report be brought down on the breakdown of the expenditure of the legal budget for the next meeting of the Finance Committee.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED:

Divisions

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

AGAINST: Councillor S Ring

10.3. Notice of Motion - 27/05/19 - Australian Local Government Women's Association NSW

Report by Councillor Cassandra Coleman

19-154 RESOLVED

THAT Lithgow City Council provide continuing support to Councillor Cassandra Coleman in her role as President of The Australian Local Government Women's Association NSW.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

POINT OF ORDER

Cr Ring called a point of order on Cr McAndrew as he stated that LaTrobe Visit did not go ahead due to budget constraints.

11. Business of Great Urgency

In accordance with Clause 241 of the Local Government Act (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 if:

- 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.

The Mayor asked if there were any matters to be considered as matters of great urgency.

There were NIL matters of great urgency raised.

12. 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 from the Public.

19-155 RESOLVED

THAT Council Resolve to move into Closed Council to consider the confidential reports as listed in the Agenda at 09:18 pm.

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew

CARRIED

The Mayor called a 5 minute adjournment at 9:18pm

PROCEDURAL MOTION

THAT the Council move out of committee of the whole.

MOVED: Councillor D Goodsell

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

The General Manager left the Chambers and the Director of Economic and Development acted as the General Manager.

12. Confidential Reports

12.1. FIN - 27/05/19 - Unreasonable Complainants

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

(f) matters affecting the security of the council, councillors, council staff or council property

PROCEDURAL MOTION

That council move into a committee of the whole.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED: Unanimously

19-156 RESOLVED

THAT Council endorse the action taken by management in relation to the information regarding unreasonable complainants included in the report.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

12.2. IS - 27/05/19 - Replacement of Roadside Fencing - Wolgan Road, Wolgan Valley

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,

19-157 RESOLVED

THAT Council:

1. Reallocate \$12,000.00 from PJ100326 - Barton Avenue Refuge to facilitate the construction of 620 lineal metres of boundary fencing of similar material and quality to which has already been constructed; and
2. Commencement of the boundary fencing be contingent on receiving written confirmation from the proponent that the matter is now settled and no future claims can be made regarding this matter

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

12.3. Mayoral Minute - Confidential - 27/05/19 - Staff Matters

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

19-158 RESOLVED

THAT

1. The information regarding the General Manager's performance review be noted and;
2. The Level 4 result 'Very Satisfactory' performance result of the performance review be noted;
3. A three (3) year reappointment of employment be offered to Mr Faulkner from 29 May 2020 to 29 May 2023

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

CARRIED:

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Ring, Councillor J Smith

AGAINST: Councillor C Coleman, Councillor S Lesslie

19-159 RESOLVED

THAT Council resolved to refer to open Council and recommend the resolutions of Closed Council at 09:42 pm.

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew

CARRIED:

The Acting General Manager read the resolutions of the Closed Council to the Public.

12.1 FIN – 27/05/19 – Unreasonable Complainants

THAT Council endorse the action taken by management in relation to the information regarding unreasonable complainants included in the report.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

12.2 IS – 27/05/19 – Replacement of Roadside Fencing – Wolgan Road, Wolgan Valley

THAT Council:

1. Reallocate \$12,000.00 from PJ100326 - Barton Avenue Refuge to facilitate the construction of 620 lineal metres of boundary fencing of similar material and quality to which has already been constructed; and
2. Commencement of the boundary fencing be contingent on receiving written confirmation from the proponent that the matter is now settled and no future claims can be made regarding this matter

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor S Ring, Councillor J Smith

AGAINST: nil

12.3 Mayoral Minute – Confidential – 27/05/19 – Staff Matters

THAT

1. The information regarding the General Manager's performance review be noted and;
2. The Level 4 result 'Very Satisfactory' performance result of the performance review be noted;
3. A three (3) year reappointment of employment be offered to Mr Faulkner from 29 May 2020 to 29 May 2023

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

CARRIED:

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodsell, Councillor D Goodwin, Councillor S Ring, Councillor J Smith

AGAINST: Councillor C Coleman, Councillor S Lesslie

There being no further business the Mayor declared the meeting closed at 09:44 pm.